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Selections from the records
of the kirk session,

SELECTIONS FROM THE RECORDS

OF THE

KIRK SESSION, PRESBYTERY, AND SYNOD

OF

ABERDEEN.

W. BENNETT, PRINTER, ABERDEEN.

SELECTIONS

FROM

OF THE

KIRK SESSION, PRESBYTERY,

AND SYNOD

OF

ABERDEEN:

M DCCC XLVI.

PRESENTED

TO

THE SPALDING CLUB

BY

LORD FRANCIS EGERTON.

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THE EDITOR'S PREFACE.

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THE Selections now printed for the Members of the Spalding Club, from the Records of the Kirk Session, Presbytery, and Synod of Aberdeen, range over a period commencing immediately after the Reformation, and coming down almost to the Revolution of 1688. During that time, many and great changes occurred in the civil and ecclesiastical constitution of the country, which necessarily exercised a powerful effect in modifying or altering the principles and habits of the mass of society.

Of these changes and their effects notices more or less minute will be found in the present volume. The earliest part of it contains the regulations and ordinances issued by the authorities of the Reformed Church for carrying the newly-established system into practical effect in Aberdeen. Many of these refer to customs and superstitions which appear to have withstood, for many years, the assaults directed against them, and to have remained in occasional use by the people, after the ancient faith had been pretty generally relinquished by them. [1]

[1] The apparent harmony with which the new system was established in Aberdeen, has been alluded to in the "Extracts from the Burgh Records of Aberdeen," pref., p. xxxii. An ordinance, however, in the present volume, "that na disputatioun nor reasoning of the scripturis be at dennar, or supper, or oppin table, quharthrow arrysis gryte contentioun and debate," (p. 10), gives us a glimpse of the heat and keenness which must have attended the arguments of those who took different views of the great changes then introduced. The feelings of reverence with which the people had been in use to regard things devoted to sacred purposes, seem to have been much diminished at the time of the Refor-

Some of the sports and pastimes in which the younger part of the inhabitants had been in use to indulge were clung to with a particular tenacity, and required repeated efforts to put them down. Of these we may refer to the midnight revels and promiscuous dancings, on the streets, of the young men and women of the town, about the time of Christmas and New Year's even, against which practice the following, among other ordinances, occurs:—"That na man nar woman in this burght, about the superstitious tyme of Yuill or Newyeris day, or ony vther superstitious tyme, sall presume to mask or disagyse thame selffis in ony sort the men in wemennis claythis, nor the wemen in mennis claythis, nor vtherwayes, be dansing with bellis, ather on the streittis of this burt or in privat houss, in ony tyme comming; bot expresslie prohibbitis and forbiddis all sic superstitious formes of behaviour in tyme cumming, vnder the pane to be puneist in repentance and penaltie at the appoyntment of the sessioun."[1]

The superstition of kindling fires on Midsummer even, of which the precise origin seems to be doubtful, was common over the whole country; and in 1608 it will be found that several inhabitants of Aberdeen, of considerable standing and influence, still persisted in the use of this custom.[2]

Pilgrimages to wells and places sacred in the estimation of the people were very common, and required frequent interpositions, as well of Parliament as of the Church Courts, against them.

The well of Saint Fithac, in the Bay of Nigg, was one of these

mation, as we have seen that the "whole silver wark, brasin wark, kaippis, and ornaments of thair paroche kirk," used in divine service, were sold to the highest offerer, without any apparent scruple (Burgh Records, p. 329); and, in the present volume, the following notice, among others, indicates the breaking up of old feelings of this sort: "It is ordered that the organis, with all expeditioun, be removit out of the kirk, maid profeit of to the vse and support of the pure; and that the preistis stallis and bakkis of altaris be removit furth of the places quhair thai now remane, and situat in the partis of the kirk quhair men may be best easit be thame to heir the sermones," (p. 19).

[1] P. 50. [2] P. 61.

places of resort; and, from its tempting vicinity to Aberdeen, was frequently the means of inducing the citizens to break through the many ordinances issued against those who resorted to it.

In 1630, "Margrat Dauidson, spous of Andro Adam, wes adjudget in ane wnlaw of fyve punds, to be payed to the collector for directing hir nwrish with hir bairne to Sanct Fiackes well,, and washing the bairne thairin for recoverie of hir health, and the said Margrat and hir nwrish wer ordanit to acknowledge thair offence before the sessioun for thair fault, and for leaving ane offering in the well." [1]

In 1652, the Synod gave injunctions to the Presbytery of Turriff, that they should take special notice of all superstitious persons frequenting the Well of Seggat. The following Act of Parliament, passed in November, 1581, "Aganis passing to chapellis, wellis, and croces, and the superstitious obseruing of diuerss uther papisticall rytes," notices most of the prevailing superstitions of this kind:

Forsamekill, as pairt for want of doctrine and raritie of ministeris, and pairtlie throw the peruers inclinatioun of mannis ingyne to superstitioun, the dregges of idolatrie yit remanis in diuers pairtis of the realme, be vsing of pilgramage to sum chapellis, wellis, croces, and sic vther monumentis of idolatrie; as also, be obseruing of the festuall dayis of the santes, sumtyme namit their patronis, in setting furth of bain fyris, singing of caroles within and about kirkis at certane seasones of the yeir, and obseruing of sic vtheris superstitious and papisticall rytes, to the dishonore of God, contempt of the trew religioun, and fostering of greit errore amang the peopill: ffor remeid quhairof, it is statut and ordanit be oure souerane lord, with aduice of his thre estatis in this present parliament, that nane of his hines lieges presume or tak vpoun hand in tyme cuming to haut, frequent, or vse the saidis pilgramages, or vtheris the foirnamit superstitious and papisticall rytis, vnder the panis following, videlicet: ilk gentill man or woman landit, or wyfe of the gentilman landit, ane hundreth pundis; the vnlandit, ane hundreth merkis, and the yeman, fourtie pundis, for the first falt; and, for the secund falt, the offendaris to suffer the pane of deith as idolateris. And, for the better execusioun heirof, comandis, ordanis, and gevis power to all schirreffis, stewartis, bailyeis, prouestis, aldermen, and bailyeis of burrowis, lordis of rega-

[1] P. 110.

liteis, thair stewartis and bailyeis, and vtheris quhome it sall pleis oure souerane lord to grant speciale commissioun, to seirche and seik the personis passing in pilgramage to onie kirks, chapellis, wells, croces, or sic vther monumentis of idolatrie; as also the superstitious obseruaris of the festuall dayis of the santes, sumtimes namit thair patronis, quhair thair is na publict fayris and mercatis, setteris onte of bainfyris, singeris of caroles within and about kirkis, and of sic vtheris superstitions and papistical rytis. And apprehending thame in the actuale deid of the transgressioun of this present act, efter spede jugement of thair transgressioun, to put and hald thame in persone and firmance ay and quhill thay redeme thair libertie be payment of the panes abone writtin, and find cawtionn to abstene in tyme cuming, vnder the pane of doubling of the same pane. And, gif the personis apprehendit be not abill to redeme thair libertie be payment of the saidis pecuniall panes, that then they keip the personnis transgressowris in presoun, irnis, or stockis, vpoun breid and wattir, for the space of ane moneth eftir thair apprehensioun, causand thame, quhen thai ar sett at libertie, outher to find cawtioun, or mak fayth to abstene thairefter. And, in cais thei happin to pas furth of the schire quhair thai offend vnapprehendit, that the schireffis and vther ordiner juges of the nixt shire, burgh, or jurisdictionis, apprehend thame, and proceid in like maner aganis thame: declairand the ane half of the pecuniall panis to pertene to the saidis ordiner juges for thair panes, and for sustenyng of the personis to be kepit in waird, irnis, or stockis, and the vther half to be inbrocht to the vse of the puir of the parochin.[1]

The Church found it necessary to pass a similar enactment against such superstitions in 1616.[2]

The many injunctions which occur at an early period about swearing, show that this vice was very prevalent. With the view of repressing it, it was ordained that, in "euere honest mannis or vomannis house, thair be tane up of euere swerar quhow oft the samin chance quhilk is potent to pay silver, for euere falt ane hardhied,"[3] and any person who might be heard swearing on the street, was to be "scharplie punished with a palmer on the hand."[4] The following Act of Parliament, dated 29th November, 1581, imposing penalties on those who were guilty of this vice, would lead us

[1] The Acts of the Parliament of Scotland, vol. iii., p. 212

[2] The Booke of the Universall Kirk of Scotland, Part III., p. 1120.

[3] P. 6. [4] P. 35.

to believe that no class had been altogether exempt from its influence.

Our Souerane Lord, with aduise of his thre estatis of this present parliament, ratifeis and appreuis the act of parliament haldin at Edinburgh, the first day of Februar, the yeir of God jm. d. lj. yeris, intitulat, the act aganis thame that sueiris abhominabill aithis, and ordanis the same to haif effect and execusioun in tyme cuming, efter the forme and tenoure thairof, vnder the fourt and last pane specifeit in the same. That is to say; for the first falt, euerie prelate of kirk, erle, or lord, iiij s.; ane barone, or beneficit man, constitut in dignitie ecclesiastik, xij d.; ane landit man, frehalder, wassel, fewer, burges, and small beneficit men, vj d.; ane craftisman, yeman, or seruand man, iiij d.; the puir folkis that hes na geir to be put in the stokis, joggis, or presonit for the space of foure houris; and wemen to be weyit and considerit conforme to thair blude and estate of thair pairteis that they are copulat with. For the [secund] falt, euerie prelat, erle, or lord, viiij s.; euerie barone, or beneficit man in dignitie, ij s.; euerie landit man, frenalder, wassell, fewer, and small beneficit men, xij d.; and euerie craftisman, yeman, or seruand, viij d.; the space of the puir folkis imprisonement to be dowbillit. And for the thrid falt, the saidis secund panis to be dowblit. And for the fourt and last falt, the offendaris to be banisit, or put in ward for the space of yeir and day, at the kingis will. And sicklike, all vtheris estaittis eftir thair qualitie, to be puneist efferandlie. And the foirsaidis panis to be vptakin and applyit to the vse of the puir folkis. And, for the better execusioun heirof, that censouris be appoyntit in the merkat places of all burrowis, and vthir publict fairris, with power to put the swerairis of sic abhominabill aithis in ward quhill thai have payit the saidis panis, and find souertie to abstene in tyme cuming; and that be directioun and commissioun of the schireffis, stewardis, bailyeis, provestis, aldermen, and bailyeis of burrowis, lords of regaliteis, and vtheris ordinar officiaris. And that all houshalderris delait to the magistratis the names of all sic personis as transgressis this present act, that, vpoun complaint thairof to be maid to the kingis magestie and his prinie counsaill, they sal be callit and committit to waird during his hines will, and find souertie, vnder greit panes, at his hines sicht, for exact diligence to be schawin in executing of the said act thairefter.[1]

It appears to have been a difficult matter to root out various practices which led to the desecration of Sunday. At first the pro-

[1] The Acts of the Parliament of Scotland, Vol. III, p. 212.

hibition against craftsmen and labourers performing work on this day, was limited to "the tyme of prayers and preching." "All persons duelling in this toun, gangand in the gaitt, or playing in the lynks, or vther places, the time of preching or prayaris on the Sone-day,"[1] were to be fined; but gradually the rule grew stricter, and we find "the wyff of James Banerman, for working on the Sabboth-day, vnlawit in sex sh. aucht d.; and it wes ordained that na baxters within this burt work nor baik any bakin meatt in tyme cuming on the Sabboth-day,"[2] under a penalty. Persons absent from sermon were fined 3s. 4d. Two of the Bailies were ordered to "pas throw the towne everie Sabboth-day, and nott sic as thay find absent fra the sermones, ather afoir or efter none."[3]

It was more than usually difficult to put down a market which was held on Sunday for the sale of "flesche, fishe, peattis, grass, kaill, and herbs." A slight relaxation was permitted to those who sold kaill and herbs, it being allowable to deal in these after four o'clock afternoon on Sundays: but all the other commodities found in the market were to be escheited.[4]

Salmon fishing was carried on to a considerable extent on Sundays, and many of the proprietors of fishings refused to relinquish this practice, some of whom, "preferring, as apperis, thair greid and avarice to the glorie and worschip of God, hawe continewit and persistit hitherto in working and fisching of thair watteris on the Saboth day, to the heich dishonour of God, the manifest contempt of his law, and sclander of the gospell." Some promised to forbear from this practice absolutely, some "gif thair nichtbours will forbear," and some refused to abandon it.[5]

By and bye, the Bailies are enjoined to go through the town on the preaching days in the week, as well as on Sundays, "to caus the people resort to the sermones;" and Jean Barclay was "sharplie admonishit be the moderatour, in name of the Session, for goeing to

[1] P. 21. [2] P. 24. [3] P. 26. [4] P. 28. [5] P. 64.

the old toune [Old Aberdeen] on the Lord's day betuixt sermones."[1] At a visitation of the Kirk of Kintore, in 1599, it is enacted, "That thair be na play Sondayes heirefter, onder all hiast pain that efter may follow."[2] This strictness continued throughout, and under the various systems which succeeded each other. After the Restoration, it was "ordained by the Lord Bishope, with consent of the brethreine of the Synod, that the Lord's day be exactly keeped, and that all attend the hearing and reading of the word before sermone, and that none depairt from the church befoir the pronunceing of the blessing; and that visitors be appoynted by the minister, throw the severall pairtis of the parochin, for visiting tavernis and ailhouses, that ther be no excessive drinking, nor that the people continew tipling in these places; bot that, with all diligence, they repair to ther awin homes for going about ther severall familie dueties, sutable to the holynes of the day; and that ther be no bargaining, buying, selling, feeing of servands, or any uther secular effearis gone about one the Lordis day."[3] Those who were found travelling on the Lord's day were to be censured by their respective ministers; and one of the articles for which a country yeoman had to do penance was the "scandelous rydeing by the kirk styll of Towie, his owne paroche kirk, upon the second of Februarii last, being also the Lord's day, when the people wer conveeneing to sermone, quhairthrow he wes at no sermon that day."[4]

Nothwithstanding, however, of every precaution, there seems to have been a continual resistance on the part of the people to this strictness. In 1680, we find representations made, "how much the Lords day is evrie where profained by drinking, travelling to mercats, feeing of servants, and making other bargains and contracts;" and the ministers were recommended to "testifie against these abuses, by preaching publickly against them."[5]

Various notices occur through the volume regarding the subject

[1] P. 115. [2] P. 169. [3] P. 271. [4] P. 293. [5] P. 332.

of witchcraft and charming. The singularly curious trials for witchcraft[1] which took place at Aberdeen in the year 1597, and which were printed in the First Volume of The Miscellany of the Spalding Club, afford conspicuous evidence of the intensity of the popular belief in the existence of this crime, and of their terror at its supposed results. In the year 1597, not fewer than twenty-four victims were burned, in Aberdeen, as being guilty of the crime of witchcraft; and, during the time when the frantic feelings on this subject prevailed, very slight indications and suspicions were sufficient to bring down the arm of the Royal Commissioners appointed to "hauld justice courtis on witches and sorceraris." The violence of this popular disease seems to have shortened its duration; and it is curious to trace, in various entries which occur in the first part of the present volume, the great change in popular feeling which had occurred within seven years of the period when it raged with a fury so fatal to those who were accused of it.

In 1604, we find that Helen Cassie had accused Helen Gib of certain very suspicious deeds, viz. :—"That, on the Tuysday or Fryday befoir Bartholl day, in the yeir of God, jai sex hundreth and thrie yeirs, the said Helene Gib past to the spout of the Nather Milne of this burt, and thair, with ane chopin stoup, keapit thrie sindrie droppis of watter out of the spout, and, immediatlie thairefter, past to the fluid besyd the Trinitie kirkyard

[1] Of these trials a very ingenious use has been made by Mr. Charles Knight in his Life of Shakspeare, in the chapter which he has devoted to the enquiry, *Did Shakspeare visit Scotland?* The conclusion there arrived at is that Shakspeare probably formed one of "the Kingis seruandis quha playis comedeis and staige playis," and who visited Aberdeen in October, 1601; that the story of Macbeth might have been suggested to Shakspeare upon Scottish ground; that the accuracy displayed in the local descriptions and allusions might have been derived from a rapid personal observation, and that some of the peculiarities of his witchcraft imagery might have been formed in Scottish superstitions, and more especially those which must have been rife at Aberdeen at the period when the Trials in question took place, a few years previous to the period of Shakspeare's supposed visit.—William Shakspeare, a Biography; p. 431, *et seq.* Lond. 1843.

with ane chopin stoup, and fillit the same full of the fluid watter, and tuke baith the milne spout watter and the fluid watter, and keist the same immediatlie thairefter in the first caldroun amang hir burne, and then maskit hir fatt and weische hir standis and bowyes, and tuik the waschinis thairof and watterit the four nuikis of hir hous with it; and quhen scho kuist in the spaitter and the fluid watter in the caldroun, scho said thir words, This is deid and quick tuyis or thryis, and immediatlie thairefter scho tuke ane grene dog hillok and laid the ane halff thairof aboue the dur, and tuke the vther halff and put it vnder the gantries."[1]

An accusation such as this, if it had been mooted at the period when the fears of the Royal Commissioners and their master were at their height, would have certainly resulted in a conclusion very different from that which now happened. It is probable that Helen Cassie had selected this as a mode of carrying out her ill-will against her neighbour, in the expectation that more attention would have been paid to her tale: and, indeed, some of the former trials appear to have sprung from feelings of the same sort. But so much had the public taste for such trials been sated by the victims already offered, that Helen Cassie's tale was scouted on account of its want of evidence; and she was ordained "to sitt doun on hir kneis in presence of the sessioun, and thair crawe God pardon for hir sclander forsaid vtterit be hir aganis the said Helene Gib, and to crawe hir forgiwens in lyk maner for the same, and to grant scho knawis nothing of hir, bot that scho is ane honest woman."

In 1607, James Mar said of Andro Paull that he was "ane commoun witche, and cum of witchis, and not worthie to remane in ane civill tonne," and was punished as a slanderer.[2]

In 1610, Marjorie Mearns was similarly punished for saying that she would prove Margaret Mason to be "ane witche, and for spitting thryis in her face, and casting fyir:"[3] and other similar cases occur in the volume.

[1] P. 39. [2] P. 57. [3] P. 74.

When the belief in witchcraft became so weak that ill-natured accusations against individuals were found to lead to no trial or other cruelties, these accusations seem to have been dropped, and consequently witchcraft was forgotten. The mania afterwards got strength about the period of the Restoration, when many women again were committed to the flames for their supposed guilt of this crime. About the time, however, when the disease was at its height in Aberdeen, the belief in it pervaded all ranks. The parish of Skene seems to have been afflicted with a number of witches, as, in 1602, a roll of them was ordered to be made up and transmitted to the Marquis of Huntly, "that the land may be purgit of sic instrumentis of the dewill;"[1] and in the ensuing year the Marquis desires the Presbytery "to tak tryell of the wiches, and consultaris witht thame, and to send to his lordship the delatioun, with the names of sic as ar maist meitt to pass upoune the assyse and tryell of thame."[2]

The belief in supernatural visitations occasionally shewed itself in a shape more grotesque. In 1601, an inhabitant of the parish of Dyce, was cited before the Presbytery of Aberdeen to answer an accusation brought against him, that he had "familiaritie of a spirite." On examination, it turned out, that about twenty-seven years previous to this time, "ther cam to his dur a spirit, and callit upone him, 'Wattie, Wattie,' and this wes in the barley seid tyme, and thairfra removit, and thaireftir came averie yeir twa tymes sen syne, bot saw na thing, bot harde a voce, as said is." On one of these occasions, when the accused was in bed sleeping, "it satt down anent the bed upoune a kist, and callit upone him, saying, 'Wattie, Wattie,' and then he wakynnit, and saw the forme of it, quhilk wes lyke ane litil bodie, haiffing a scheavin berd, cled in quhyt lening, lyk a sark; and it sed to the said Walter, 'thou art under wraik, gang to the weachmanis houss in Stanivoid, and thair thou sall find baith siluer

[1] P. 188. [2] P. 190.

and gold with weschell.'" Walter and some of his neighbours proceeded with "spadis" to the spot thus pointed out, and made the proper search, but, as might have been anticipated, they "fand nothing."[1]

In 1659, the Synod recommended all ministers to speak against "charming, heathenish customes in cutting of thee heades of beasts, and carieing off them from one lairds lands to another."[2] In 1663, we find two "charmers" punished. In 1665, James Smyth is accused "for useing enchantment by casting of the knottis at marriages;"[3] and, in 1675, there are complaints made, "that some, under pretence of trances, or familiaritie with spirits, by goeing with these spirits commonlie called the fairies, hath spoken reproachfully of some persones, whairof some are dead and some living."[4]

As illustrative of the tone of thinking of particular times, we may notice the great terror created by an earthquake which occurred in Aberdeen in 1608. "The Ministris and Sessioun convening in the Sessioun hous, considdering the fearfull earthquak that wes yisternicht, the aucht of this instant, throughout this haill citie about nyne houris at evin, to be a document that God is angrie aganes the land, and aganes this citie in particular, for the manifauld sinnis of the people," appointed a solemn fast and humiliation of the whole inhabitants, and enjoined them to renew the covenant with God, "be haulding up of their handis all publictlie before God in his sanctuarie, and promising, be his grace, to forbear in tyme cuming from thair sinnis that hes procurit Goddis wraith and anger aganes thame."[5]

About two years afterwards, a fast was appointed to be held on account of "the visitatioun of the young childrene with the plage of the pocks" and the wet season.[6]

In the spring of 1615, a solemn fast and humiliation was appointed to be held, "for sindrie weghtie caussis, and namely in re-

[1] P. 184. [2] P. 250. [3] P. 280. [4] P. 310. [5] P. 64 [6] P. 74.

spect of this present vncouth storme of frost and snaw, quhilk hes continewit sa lang that the bestiall ar dieing thik fauld;" and a national fast was held in the ensuing month, "be reason of the great number of Jesuits and seminarie preistis come within this yll, and dispersit throw all the corneris thairof, pressing be all meanis possibill to subvert the trew religioun."[1]

A pretty minute detail of the various punishments inflicted on transgressors at various periods will be formed. Besides being occasionally "put in the kirk wolt," and being "doukit at the cran," the frail female penitents had to sit on the "pillar of repentance" before the congregation. A natural feeling of shame induced them to cover their faces with their plaids; but, as this prevented the necessary exposure, a special ordinance was passed to prevent such an occurrence in future, on the ground that "in times past the greater number had come having thair playdis about thair heid, cumming doun over thair faces the haill tyme of thair sitting on the stuill, so that almost nane of the congregatioun culd sie thair faces, or knaw quhat thay wer, quhairby thay maid na accompt of thair cumming to the stuill, bot misregardit the same altogidder."[2] A recurrence to the use of the plaids, about forty years after this time, drew out another ordinance of the Session, to the effect that all who sat on the public place of repentance should "sit and thair face towards the congregation, without any plaid about them, bot thair discovered; quhairin, if they failzie and doe in the contrair, the Minister nowayis to absolve nor speak any to them till thay appeir the nixt day."[3] That such a system would often fail in producing the desired effect is readily to be believed. James Riach, who had been sentenced to undergo this ordeal, and who seems to have been desirous of giving at least some outward tokens of grief, was found to "mack ane moke of repentance, by putting in of

[1] P. 82. [2] P. 63. [3] P. 116.

sneishen in his eyes to make them tear, and by laughing vpone severall persones in publict."[1]

Various specimens of the proceedings used to compel those who either were Roman Catholics, or suspected to be so, to "adjoin them to the religion," occur throughout the volume. The parties were generally required to subscribe the Confession of Faith and to receive the Communion, and their refusal to do so led to the usual process for compelling them to conformity, which, against those who continued obstinate, terminated in excommunication.[2]

[1] P. 136.

[1] The form of abjuration which, at a later period, was required from those who renounced the Roman Catholic religion, will be understood from the following instance, which is entitled "Renunciation of Popery:"—

I, Barbara Farquharson, lawfull daughter of the deceast Farquharson, sometimes Achnerran, and at present servitrix to Robert Farquharson, in Pittintaggart, Forasmuch as I am fully convinced in my conscience of the heresie, falshood, and idolatry of the Roman Popish persuasion, in its doctrines, worship, and discipline, and therefore have renounced, likeas I hereby do renounce, disclaim, and simply disown for ever all the errors, heresies, superstitions, and idolatries of the Romish Church; and for the peace of my own conscience, and for the satisfaction of all the sincere professors of the Reformed Protestant religion, and to obtain the more undoubted right to all the outward priviledges of the Protestant Church, and to make sincerity of my said renunciation the more fully to appear, I did, by my own free choice and voluntary consent, appear before the Kirk Session of Tarland and Migvie, met at the Kirk of the day of , seventeen hundreth and twelfth year, and then and there did judicially renounce, disclaim, and disown all the false tenets and articles of the said Popish profession, particularly the Pope's infallibility, the preferring of or equalling the traditions of men to the word of God contained in the scriptures of the Old and New Testament, the idolatry of the mass, and denying the cup to the people in the sacrament of the Lord's Supper; the gross absurdity of transubstantiation, and idolatry of praying to or giving any sort of divine worship to saints, angels, images, or any other creature whatsoever; the errors of auricular confession, pardons, penances, indulgences, purgatory, and praying for the dead; superstitions of pilgrimages, relicts, and all other superstitions practised in the said Church of Rome; together with every other tenents, doctrines, and articles that are contrary to the sound faith contained in the word of God, as above exprest. And, further, I did profess before the said Kirk Session, and likeas I hereby declare, that hereafter I shall own and maintain all the doctrines of the true Reformed Protestant Religion, and shall attend, submitt, and adhere to the whole worship, and discipline thereof to my life's end, as the same is contained in the Scriptures of the Old and New Testament, and more summarly comprehended in our Confession of Faith and Cate-

Occasionally the accused persons offered to attend sermons, but declined to communicate. Some of them were willing to sign the Confession, but refused to swear to it, "in respect of the difference amongst scholaris concerning these poyntis."[1] Many demanded conferences with ministers to have their scruples removed, although it generally appears that they merely wished to gain a respite from the ecclesiastical censures.

The proceedings against George Gordon of Gicht afford a curious instance of the system in question.

Having been required to "subscryve, sweir, and communicat," in terms of an ordinance of the Provincial Assembly, he had excused his non-appearance at previous courts, and on 8th May, 1601, "efter lang conference," it was agreed to suspend the sentence of excommunication till the first of July, "upon thir conditions: First, that this day efter nune he sall conferre with the Bishope of Abirdene, the said Mr. Charlis and Mr. James Rosse in New Abirdene, quha sall reid with him the Confession of Faith, and the larde shall shaw to thame his doubtis; and efter thair conference sall remitt his farther resolutioun to thame of his awin presbyterie, quhais doctrine on the presbyterie dayes he sall heir. And, for this cause, thai sall hald the exercise at the kirk of Methlik, quhilk is within les than a mile to his awin housse; and sall heir the publicque doctrine in the said kirk on the Sabbath dayes; and sall haue to

chisme. And I further profess that I do heartily adhere to, as I have judicially owned, the whole particulars contained in the premisses in the true simplicity of my heart and conscience, without any equivocation, mental reservation, or any other fallacy or deceit whatsoever. And I do solemnly promise that I shall never accept of any indulgence, pardon, or dispensation from any priest or papist, or any person whatsoever pretending to have power to exoner or discharge me from this my obligation, but that I shall faithfully perform the same, in all points, to my life's end, and that under all highest censures and penalties, civil or ecclesiastic, that I can be lyable to thereanent. And I consent to the registration hereof in the records of the said Session, therein to remain for future memory, and to be made use of as an authentic testimony against me, as shall be found needful.

[1] P. 92.

conferre with him on Monunday and Thurisday euerie oulk, Mr. Jhone Harriot and Dauid Rattray, unto the last of [this] instant Maii. And gif, upon this conference and hering, the larde beis nocht resoluit, he sall cum in at the same tyme to New Abirdene, and sall haue conference with the ministeris thairof, and haue the hering of the worde be the space of the haill moneth of Julii; at the expyring and end quhairof he sall ather satisfie the kirk in subscryving, swering, and communicating with the trew religione presentlie professit within this realme; or than to be content to be excommunicat; or than immediatlie to depart aff this realme, without ony appellatioun fra the saidis tua presbyteries to ony assemblie, ather provinciall or generall. Unto the quhilkis haill premissis the larde oblisit him selff; and, in witnes quhairof, hes subscryvit thir presentis with his hand, daye, yeir, and place forsaid. *Et sic subscribitur*, George Gordoun, fiear of Geycht." [1]

It would appear that, however powerful the Laird of Gicht's scruples were, he failed to comply with most of these conditions, as is stated at the court held on 24th July, 1601, when his father prevailed on the Presbyteries of Aberdeen and Ellon (conjoined for the purpose of cognoscing this matter) to delay issuing the sentence for other fifteen days.

On 7th August, he wrote a letter to his judges, in which he informed them of his severe diseases, which led him to expect that his days were few, and offered to "warde myself within my awin houss and ane myle about me induring your wisdomes pleasuris; and, in the meantyme, I sall recept nane bot sic as sall be frie baith be your kirk and be his Majestie ciuill lawes of the cuntraytht." He concludes, "I persuade my selff ondoubtitlie that ye will nocht be hastie in pronuncing the sentence of excommunicatione aganis me, for I knaw ondoutitlie that sentence will preiuge my wardlie es-

[1] P. 178.

tait, and wil be ane greit motione to yow of the Kirk in Scotland to crave my blude. I heir offeir, giff thair is nathing can satisfie yow [if] I remane Catholick, bot my bluid and warldlie wraik, to enter myselff, as I haue said befoir, in ony place ye pleis till opponit; and, giff it sall pleis [his] Majestie and your wisdomes of the Kirk of Scotland, sa to tack my bluid for my professioun, quhilk is Catholick Romane, I will maist willinglie offerre it for the same; and, giff sa beis God grant me constancie to abyde the same, nocht trubling your wisdomes witht forder at the present, luiking for your cheritable ansuir in wreitt with the berar, committis yow to God. Frome Kellie, the vi of Auguste, 1601. *Et sic subscribitur*, your wisdomes assurit freind, George Gordone. fear of Geicht."[1]

This letter had not the desired effect; and, in respect that the said George Gordon had failed in his promises, "and that he is nocht departit aff the realme, nor hes nocht subscryuit, suorne, nor communicat, bot professis him selff ane Catholick Romane," it was concluded, that, unless he appeared on the eighth day after the date of the meeting and gave satisfaction, he should forthwith be excommunicated.[2] Other two meetings followed, at which certain offers were made on the part of the accused, which were not held to be satisfactory; and a day was appointed for pronouncing the sentence of excommunication, which every minister was ordered to do under pain of deprivation.[3]

During the Usurpation, the principles of toleration were more recognized than they had hitherto been. Thus, in 1653, a servant to the Laird of Pitfoddels having been cited before the session to give an account of his religious profession, he refused to recognize the same to be "ane judicatorie," "wnless we wes authorized be the comon wealth; and, being demandit againe if he wes of our professioun, he anserit, he cam not to give ane acquittance, and all

[1] P. 180. [2] P. 181. [3] P. 183.

the wholl tyme he carried himselff vncivillie and wpbraidinglie, thanking God *that the tymes wer not as formerlie*."[1]

After the Restoration, the zeal for obtaining conformity to the established religion led to a renewal of measures against Roman Catholics. It was ordained that lists of them should be sent to the Bishop by each Minister throughout the diocese, as well as of those who should "converss with excommunicat persones, or shall recept seminarie priestis and Jesuits;" and apostates to Popery and Quakerism were excommunicated with equal rigour.[2] Means were to be taken for restraining this spreading "leprosie of Poperie—for training up in the Protestant religion the children of some gentlemen and persons of qualitie who have been sent beyond seais to be educated in Popish universities, especiallie the young noble Lord the Marques of Huntlie."[3]

Three Members of the Privy Council met at Ellon, in 1676, to notice the conventicles of Quakers, Non-Conformists, and Papists.[4] At an earlier period, we find the same care manifested as to the education of noblemen and as to the orthodoxy of their "pedagogues."

On an examination of the teachers of the Lord Gordon and the Master of Caithness, in 1604, they professed their adherence to the religion established in Scotland, and "testifeit thay saw neuir ane uther religioun within this realme, nor out of the same, except that the said Mr. Johnne declarit, that he being in France be the space of tua yeiris, or thairby, could nocht haef the sight of the King thereof, and wpoun the informatioun and convoy of ane familiar of his, he saw the King at the messe, quhairunto the said Mr. Jhonn geff na reuerence, for his goyng thaireto was bott to gett the sight of the King, and nocht of the messe, quhilk he abhorris and detestis fra his hairt, as he allegit." "And as to the instructione of the said lorde and maister, they declared that they teichit

[1] P. 121. [2] P. 286. [3] P. 270. [4] P. 310.

thame grammar and oratorie, and on the Sonday a lytill catechisme, and redd to them the New Testament, and exponit the samen to thame."[1]

The following Act of Parliament, dated 27th January, 1609, was passed with the special view of preventing the "youth" of the country from being educated in foreign countries, except under the conditions therein expressed:

Forsamekle as the saidis estaitis, considering that ane of the grete causis whiche hes procuret the grouth and increse of papistis within this kingdome hes proceidit frome the small cair and regaird that hes bene had of the educatioun and vpbringing of the youth, who, being send furth of the realme to placeis of contrarie professioun, and not being first wele grounded in religioun, and accumpaneit with pedagogis skairce weele affectit to religioun, thay do often returne bak so possesst with superstitionis and hereticall error as thay may be iustlie suspectit for dangerous subiectis in the estaite. For preventing of whiche grouth and increse of defectioun frome the trew faith, by the occasioun foirsaid, the estaitis presently convened statutis and ordanis that all suche noblemen and vtheris who heirefter sal happin to direct ony pedagogis with thair sones out of the cuntrey, salbe haldin, be virtew of this present act, to haue a sufficient testimoniall of the bischop of the dyocie quhair the said pedagog for the maist pairt laitlie before maid his residence, testifeing and approveing of the said pedagog to be godlie and of good religioun, learned and instructit in the same. And gif ony nobleman or vther sal happin to send ony pedagog with thair sones out of the cuntrey, without the testimoniall and approbatioun of the bischop, in maner abonewrittin, in that caice the saidis estaitis declairis, statutes, and ordanis that everie such nobleman and vtheris, according to thair seuerall degreis and rankis, sall incur the panes particularlie vnderwrittin, viz.: Everie erll, fyve thousand pundis; everie lord, fyve thousand merkis; and everie barroun, thre thousand merkis. Quhilk sowmes salbe intrometit with and vpliftit of thame be his maiesties thesaurer and his depute, to his heynes vse. As alsua, the saidis estaitis ordanis the saidis noblemen, barronis, and vtheris, to haif a speciall cair and to gif ordour and directioun that the remaneing of thair sones furth of the cuntrey salbe in places quhair religioun is professit, or at leist quhair thair is no restrent of the same by the crueltie of Inquisitioun: and that, during the tyme of thair absence, they sall not hant ony idolatrous exercise of religioun. And that suche peronis that hes not the moyane to intertenye with thair sons a pe-

[1] P. 194.

dagog sall send thame to suche pairtis quhair religioun is profest in. And incaice thair sones, efter thair depairture out of the cuntrey, sall hant the exercises of contrarie religioun, the saidis estaities ordanis that thair parentis, or such vtheris as hes the chairge of thame, salbe straitit to find cautioun actit in the buikis of secrite counsale, vndir suche panes as sall be modifeit, that they sall not supplie, interteny, nor furneis thame with ony thing necessary or comfortable vnto thame.[1]

It will be found that the present volume illustrates the proceedings of Church Courts, at different periods, as well as various general points of ecclesiastical law and discipline.

Among cases of this nature, reference may be made to the proceedings which occurred relative to the election of Mr. John Paterson to be minister at Aberdeen, in 1654, as affording a curious instance of the widely different views taken by the contending parties of the construction of an Act of the General Assembly, regulating the election of ministers, passed only five years previously.

The first notice of the matter which occurs is a protest by the Kirk Session against the nomination and call given to Mr. Paterson from "ane part of the magistratis, counsell, and people of the said burghe," on the ground, among others, "that, according to the lawes of this natioune, acts, and constitutioune of the Kirk of Scotlande, since anno 1649, and the constant practice generally observitt bothe in burghe and land, that the Sessioune aucht to haue. and hes haid, ane speciall interest with the people in the nominatioune, calling, and electing of ther ministers, and as they had nevir been so much as once acquainted, as a Sessione, ather with anie lait, or from anie lait, to be ane minister at Aberdeine;" therefore the Session dissented from the call, not only as being illegal and informal, and for the preservation of their own and their successors' interest in the matter, "but also for the inexpediencie of the thinge it selff, as being nowayes fit nor convenient for the good of this

[1] The Acts of the Parliament of Scotland, Vol. IV., p. 406.

place for the tyme."[1] It does not appear how the proceedings terminated at this time: but, in 1658, one of the Baillies of the Burgh "signified to the Sessioune that the Councell hade falleine vpone the nominatioune of Master Johne Patersonne and Master George Meldrum to be ministers of the towne, and desyrit to knowe if the Sessioune would concurre with them in that thing."[2]

At the meeting of Session held to consider of this matter, the call of Mr. George Meldrum was unanimously sustained. Mr. Paterson was nominated by some members of the Sessione, "after whose nominatioune, Master Andrew Cant, thair moderator, declairit that he did whollie disassent frome the said nominatioune, and eftir severall reasoneings, and a whilles debate *pro* and *contra*, betwixt Master Androw Cant and others with him, and Master Johne Meingzies and others with him, cencerneing the convenience and inconvenience thairof, the said Master Androw Cant, in the close of thair reasoneings, did remaine still dissatisfied with the said nominatioune, and dissassented thairfrome, and withall declaired that he would not, as moderator, put the Sessione to any new vote thairintill, and thairvpoune removed himselff." Thereafter, the matter being put to the vote of the Session, call or not call, they voted negatively, and wholly dissented from the call.[3]

The case next emerges in the Synod, to which court it had been appealed. We have here at great length the grounds and reasons for Mr. Paterson's call, which is said to have been given "bie consent off thie wholl inhabitants of thie said burgh, and people of this congregation, viz., bie thie provost, bailyies, councell, and community, as thie severall acts off councell and toune bearing thie samen doe sufficiently instruct; and at thie tyme of thie wholl people ther call, ther wer conveened many hundreds of peple of all sortes, and all in one voyce did consent, except only our reverend pastor, Mr. Androw Cant, who, uithout any just reasone yett

[1] P. 123. [2] P. 146. [3] P. 149.

knowne to us, though oft requyred, can not be induced to give his consent to thie said call, but oppones thie same, and hes not ceased since that tyme to reflect upon the persone called." "And seeing the toune off Aberdeen hawe been so tender, and so observant of the Presbyterian way and present order of thie Church of Scotland, it is our desyr that, in these tymes of different judgments, they bie not discouraged." "And this powir off nomination by thie people hes been observed in this burgh since evir it was in capacitie to hawe ministers off thie Gospell, yea uithout any respect or relation to ane right of patronage which may bie alleadged to hawe been taken away bie thie late Acts off Parliament and Assemblies, which is cleer by thie call off Mr. Androw Cant, and othirs since his entree; as also wie hawe this bie our greatt charter, granted bie thie supreme authorities to this burgh."[1] "This is also conforme to thie book of discipline, giveing thie nomination to thie people in thie call of thie ministrie, as in the first book of discipline, p. 27, and syndrie other places; as also, this is conforme to thie Act of Parliament in 1649, wherin is taken away thie power of patronage, and the nomination declared to belong to the people."[2]

It would be impossible, within the compass of a Preface, to enter farther into the arguments adduced on either side; but they are full of interest, as exhibiting the views entertained by opposite parties on a point of church government which has never been without its interest in Scotland, and which of late years has engaged more than usual attention.

The synod having sustained the call of Mr. Paterson, the kirk session, on 2d May, 1659, addressed a letter to that gentleman, relative to his "pretendit call for beeing minister at Aberdeine," in which they dissuade him from accepting of the same. Among other reasons, they say, "Wee finde our reverend pastor, Master Andrew Cant, resoluit never to give you the right hand of fellow-

[1] P. 245. [2] P. 246.

ship as minister of this toune; and, in this caice, wee judge ourselffs bound in conscience to adhere to the disasent and protestatioune of our pastore, neather will wee ewir consent to anie man whose entrie anie of our ministers judge to be greivous to them. And this is not the resolutioune of a few in the place, or of a few members of the sessione onelie, but of the bodie both of elders and deaconnes, quhich may appear by our subscriptiounes, quhairof the bearer, one of our number, will furder informe yow; so that to come hither at this nick of tyme in such a way, will kendle a fyre, the lyk quhairof was newir in this place." [1] About fourteen days after this letter was sent to Mr. Paterson, the session addressed another to the Presbytery of Ellon, in which they state their adherence to the dissent formerly expressed to Mr. Paterson's call, fearing that it would heighten the divisions existing in the town, " our reverend pastor, Mr. Andrew Cant, haveing resolvit nevir to give the said Master Jhonne the right hand of fellowshipe as minister of Aberdeine; neather will the sessione, in this cace, consent to anie whose incoming to the place may be greevous to the present incumbents, especiallie to that old reverend man who has servit faithfullie in the ministrie so long." [2]

The session appointed commissioners to attend various meetings of the Presbytery of Ellon, in order to oppose Mr. Paterson's transplantation, but their endeavours were unsuccessful, and he was settled as one of the ministers of Aberdeen, after several additional protests by the session. [3]

It is well known that the soldiers of the Commonwealth frequently interfered with the proceedings of the Church courts in Scotland. An instance of this occurs in the present volume at that period of our history when the country was distracted by domestic broils, and divided into the two great parties of the Resolutioners and Protesters. Of the animosities and misunderstandings which

[1] P. 150. [2] P. 152. [3] P. 159.

subsisted between these parties various notices occur. Mr. Andrew Cant was a zealous champion of the protesting party in the north;[1] and, in 1653, he introduced certain regulations regarding the administration of the communion which gave great offence to the Town Council and many of the inhabitants, who considered them to be unauthorised "novations." These regulations, which were generally introduced by the protesting party throughout the country, had for their object a more marked separation between the godly and ungodly, and the exercise of a greater discrimination in the admission of their people to the communion.[2] He proposed to exclude from the communion "all such who are guiltie of grosse ignorance, atheisme, denying God plainlie by ther words, ther lyffe, and conversatioune, all who ar mockers off pietie, rewylers, railers, contemners of ordinances, carelesly neglecting off them, when they are not withholden by anie necessary bussienes from them, ordinarie sleepers in tyme of sermon, though they be strong and healthie personnes, such as make no conscience of prayer and other duties with thair families, and all superstitious and meer formall personnes that can not pray

[1] April 8, 1653.—Yesterday, there was delivered to us a letter subscrived by Mr. Andrew Cant, directed to Mr. Robert Baylie and Mr. James Fergusson, to be communicat to the rest of our mind in the West, a large and injurious invective against all who will not joyne with the protesters to serve the enemie, to continue the yocke of strangers for ever on their native countrie, and to lay a necessitie on the consciences of people to exclude, without all cause, the king, the nobilitie, and all who will not be proselytes to them, from possessing their civil rights.—Baillie's Letters and Journals, vol. iii., p. 217. Edin. 1842.

[2] "Quhat one amongst a hundreth in Scotland is fitt, according to the patterne, to be sett att the Lord's Table? We would not, twenty years agoe, countenance a mixt communion, quhere was kneeling and sitting, tuo sundrie gestures; shall those be countenanced quhere visible members of the devill are sett up for members of Christ's bodie?"—Letter from Principal Row to his Brother, printed in his Father's History, p. 533. Edin. 1842.

"If purging would help this, Oh! if it were sweit if we could sett activelie about it; but quhen the major parte of the General Assemblie, Synods, and Presbyteries are corrupt, and congregations in such a frame that if, in a great congregatione, yee have ten or twenty free of ignorance or scandall, either *privative* or *positive*, it is much; in some congregations (heire att least, by the ministers confession, not one).—*Ibid.*

it they doe it not in the kirke, and regarders of superstitious dayes, blaspheimers, sweerers that in ther ordinarie discourse sweers by the holie name of God, faith, and conscience, and such lyke, all Sabboth brackeris that macks no conscience to serue the Lord in their famielies wpone his holie day, but are wagers abroad or spenders of the tyme in worldlie and improffitable discourse, disobedient to parents, murtherers, and all that hes anie malice againes ther neighboures, adulterers, fornicatores, or anie who are vnder anie scandelous sin and yet not cleared. drunkards or ordinarie tiplers in tauernes without anie laufull occasiounes or expediencie, ordinarie haunters with profane and dissolute personnes without anie relatioune or ordinarie bussienes, theifes, deceauers, cheeters, lyares, backbyters, perjured personnes, malignants, haters of the worke of reformatioune, and suchlyke."[1]

Against these regulations, the provost, baillies, council, and others of the town, protested that Mr. Andro Cant "hath of lait brought into this incorporation and citie certaine innovatiounes and dangerous practices, and especiallie one relating to the sacrament of the Lords Supper, whairby, vnder pretence of eschewing of promiscuous communioune, he hath fallein vpone ane way, that none sall be admitted to the holie communione except only such who in ane Pharisaicall way most offer themselffs to be tryit be him, and thes whom he calls his elderis, so that all others, tho, without questioune, members of the congregatioun, albeit neather groselie ignorant, nor declairit scandellous, who sall be laid by vpone thair private verdict and inquest and judgment of charitie, as they call it, are to bee debarrit from the comfort of these holie misteries, and none admittit but such as they sall pronounce blameles (in so far as can be knowenne, and none else),"[2] and adduced various arguments in support of their assertions. This led

[1] P. 120. [2] P. 128.

to a counter protest on the part of the kirk session, in which, among many other reasons, they remark that the "magistrates paper contains gross erastianisme."[1]

It would appear that the Presbytery of Aberdeen had supported Mr. Cant and the Kirk Session in their views, as, in 1656, we find a petition or appeal to the Synod, by the Provost and Council of Aberdeen, against the judgment of the Presbytery on this subject. The Synod appointed a committee of their number to meet the parties, and "mediate ane reconciliation, and to take away thie forsaids differences."[2] At this time, however, the protesters declined to sit in the same court with their brethren, the resolutioners. The latter recognized the validity of the General Assemblies of St. Andrews and Dundee, and Edinburgh, which were held wholly invalid and corrupt by the other party; and for several years the recognition or denial of these General Assemblies was looked upon as a criterion by which the orthodoxy of any person might be judged.

Mr. Cant agreed, however, to attend the conference which had been thus appointed: but the Commissioners of the Synod reported that they had "met in the sessione house at thie time appoynted. and werr readie to hawe gone on in a friendlie conference with thie said Mr. Androw and his session, butt that nether the said Mr. Androw, nor any from thie sessione did countenance thee said meetting." The Synod, however, felt themselves bound to proceed to the consideration of "thie saids presentes novationes, and to discuss the appeall." They had made some progress in doing so, and were "about the trying of that mater in a most sober, peaceable, and tender way," when they were interrupted by the unexpected entrance of an officer sent by the Commander of the Forces of the Commonwealth stationed in Aberdeen, who ordered them "peremptorily to desist from medling any more in that business,

[1] P. 129. [2] P. 232.

or otherwise to ruse; upon which motion thie Assemblie waved the business, and layd it asyde."[1]

The Goverment of Cromwell, for many reasons, gave its weight to the protesting party, and it seems probable that this special interposition of authority had arisen from the general reasons which dictated that policy. Mr. Andrew Cant was a zealous and energetic member of his party, and had attained considerable influence with the ruling powers of the nation. The following instance of the exertion of that influence in behalf of a friend (Sir Robert Farquhar of Mouny, and Provost of Aberdeen), is recorded by Sir James Balfour, who, with sufficient propriety, entitles it

A Merrey Jest.[2]

About the latter end of this past winter, ather in the end of Februarij or beginning of Marche, this yeire, Mr. Robert Farquer, in Aberdein, being fallin in dislyke with the Campbells and present gouernours, for hes agility in the lait expeditione to England, being then comissarey for the northe shyres, was now called to ane accompte, and summond to Edinbrughe for that end. He was grately perplexed, fearing that if he came in ther handes without some holy recomendatione, *per expressum*, notwithstanding the naturall drynesse of hes lancke leane bodey, yet they would so squisse him with ther skrewes, so longe as they could perceane any comfortable juce in him, that heirafter he wold looke rather lyke one thunder-slaine then a liuing creture. Bot he, a sutle craftie fellow, hauing wex'd himselue a long tyme quhat coursse to take, to euitt the racke and gins layed for him, at last bethinks himselue of one way of addresse, as the moste assurid of all otheres, wich was thus:—

The tyme of his compirance at Edinbrughe drawing neire (for he behoued to take iorney one Monday), causses aganist Sunday at night hes wyffe make good cheire, and sendes a particular confident of his to Mr. Androw Cant, the minister of Aberdeen (one quhosse northerly motion had a werey grate influence one the south, he knowing *Arcana Imperij*), to invitt him to supper. He refusses to come, once, tuyce. At last, Mr Robert resolues with himselue to haue him at aney rait, and furthwith goes to his housse himselue, and werey earnistly, in submissione and humble termes, intreatts him to lett him be honoured with hes companey at supper. The minister refusses, in respecte of the coldnes of the

[1] P. 233.

[2] The Historical Works of Sir James Balfour, vol. iii., p. 427.

night; he still vrges him to goe, and he should find ane sure antidote for aney cold. At last, being ouercome by Mr. Robert's importunity, he goes home with him, (all this tyme it is obseruable how he cald him no wther but still Master Robert: and being sett by the fyre, and made werey velcome, Mr. Robert goes to his closet, and brings to the hall a goune of blacke veluett, lyned with martrickes, and wold haue Mr. Androw putt it one, wich, with small intretty, he did: therafter, in all his discourses, he calls him ather prouest or comissary, and not Mr. Robert). So hauing supt, and made a plentifull meall, and being againe sett by the fyre, Mr. Robert asks the minister if he had any seruice to command to Edinbrughe, for he was citted to appeir ther befor the parliament, to make his accompts; and therfor besought Mr. Androw that he wold recommend him to some of his most confident frinds, wich he promissed to doe. At last, bed tyme drawing neire, Mr. Androw rysses to be gone, and wold haue castin off the goune; bot Mr. Robert intreatted him not to doe so, nor wrong him that farr, in respecte he had brought him from his auen varme housse, in so cold and rigid a night, to pertake of so homly fair, for no other end bot to bestow that chamber goune one him, as befitting his age and grauity, wishing it had beine better, for his cause; bot, such as it was, he humbley intreatted to accept of it, as ane assurance and tokin of hes love and affection to him, which Mr. Androw did, without more ceremoneis. So Mr. Robert did accompaney him home, with his goune one his shoulders, and at pairting Mr. Androw told him he should not doe weill to goe without his letters. He said he wold not. To-morrow he got his letters; one to Argyle, ane vther to Lothean, and the third to the Register, Warrestone, with two to some ministers; wich mad him velcome to Edinbrughe, and afterwardes to dance about that fyre, wich (as he feared) should, if not burned him, yet at lest scalded him verey sore. This historey I had from a werey confident and intrinsicke frind of Mr. Roberts, quho had it from his auen mouthe, and told it to me, the 10 of Sept., 1649. M. J. M.

A somewhat similar interposition of the civil power, which occurred in the early part of the century, was viewed "as such a thing as had never happened against the Church," "sen the first reformatioun of religioune within this realme," and as not only "uncouthe, but [as a thing which] appeirit to be a beginning of ane fyrie triell, quhair-withe God is to temp his Kirk, for probatioun of the faithe of his elect and chosyne chyldrene."[1]

The following extract from the Register of the Synod of Lothian

[1] P. 197.

and Tweeddale, is another parallel instance of the violent interference by the civil powers with the proceedings of a church court, from an opposite quarter.[1]

Sessio 13ª *hora* 3tia *post meridiem* 16 *Maii* 1661.

Erle of Callender's desire.

The processes depending before the synod being brought to a close, and the moderator having moved that now the synod would consider what might be done for vindicatione of the synod, the Erle of Callender did desire that, before the synod should proceid to any farder business, they would take to their consideratione a paper presented by him. And the moderator haveing earnestlie desired that they might have their owne libertie in the methode of their proceiding, the said Earle did still presse the reading of that paper, and desired the synod's positive answer therunto, which, efter some debate, wes read; the tennor wherof follows:

Erle of Callender's paper read.

The Earle of Callender, as haveing power from his majesties commissioner, desyred that the synod would make ane act ordaining the scriptures to be read publicly in the congregations on the Sabboth day before sermon, the Lords Prayer to be said once before or efter everie sermon, ane accompt of the beleife, at the baptiseing of the childrene, to be taken of the father or presenter of the childe, the singing of Glorie to the Father put in practice, and that reading of scriptures and prayers be publicly vsed in townes and villages every morning and evening on the week day, according to that former laudible practice of this church; and craves a positive answer whither the synod will grant his desire or not. After reading wherof, the judgement of the synod being heard in the matter, and the moderator haveing drawen vp the same in wryte, the said Earle of Callendar desired a formal voyce in the bussines, whither the synod would approve of that draught or not; and, therupon, it being put to the voyce whither to approve of the same as the judgment of the synod or not; be pluralitie of voices it wes caried in the affirmative; the tennor quhairof follows:

The Synod's answer to Callender's desire.

The synod doeth humblie returne this answer to the desire proposed by the Earle of Callender. That, as to the first, concerning reading of scriptures, the synod recommends that two chapters be read before sermone, both before and efternoone, according to the act of the Generall Assemblie in 1645. And, as to the other particulars, the synod recommends to the severall presbitries to try

[1] A MS. copy, belonging to the Earl of Panmure, which contains the proceedings of this Synod, from 1st November, 1659, to 16th May, 1661.

what is ordained by the Generall Assemblies theranent; and that they observe the same till the Lord blesse us with ane Generall Assemblie (which, considering his Majesties gracious promise, wee have good reasone to hope shall not be long wanting). And withall ordaines presbitries to prepare any grivance or overtor they have in relatione to these particulars against the said Assemblie, quhich is the only judge competent to determine therin.

M[ess]rs. William Thomsone, James Ramsay, Edward Wright, Andro M'Ghie, Oliver Colt, George Phin, Mr. George Winrahame, and many others, for themselves, and in name of those who did or would adheer to them, protested against, and discented from, the said act, and desired the same to be marked.

Erle of Callender commands the Synod to dissolve.

The moderator haveing after this voice again moved that the synod might now proceid friely to follow the worke of the synod, the Earl of Callender, professing he wes not satisfied with the synods ansre, did, thairfor, in name of his grace, his Majesties commissioner, command the synod to dissolve and rise, and to act no farder as a synod. The moderator having desired of his lordship that, for satisfactione of the synod, he would show his warrand for his dissolveing of the synod, his lordship replyed, that he would answer for what he had done; and so commanded the moderator again to come downe from his place, saying that he would no more speak to him as moderator, but as Mr. Robert Ker.

Therefter the moderator, having desired to close with prayer, did, before prayer, declair that, in obedience to the command, they were to act no further at this tyme, and appealed to God as witnes, that this interruptione wes not for ane unwarrantable and unpeaceable deportment of theirs; and with all said, that he hoped the brethren (for preserveing of their libertie) would remember of their ordinar tyme and place of meeting, at Edinburgh, the first Twesday of November nixt; and so prayed.

After prayer, the Erle of Callender haveing enquyred, and commanded the clerk that he might make the register of the synod furthcomeand, upon demand, to the Kings majestie, the lord commissioner, his grace, or parliament, as he would be answerable, and therupon immediatly removeing, the moderator protested that the clerk might have special cair of the synod registers and papers, and that he should preserve them for their vse, as he would be answerable to the synod; and therupon tuik instruments.

It will be remarked that the Synod held in June 1652 restored Dr. William Guild to the exercise of his office as a minister, from which he had been discharged by the Presbytery of Aberdeen in the month of June, 1650. At the same meeting which restored Dr. Guild,

every minister within the province being examined as to his judgment of the constitution and government of the Church of Scotland, "they being severallie called upon by their names, thie wholl Assemblie did unanimouslie approve thie constitution and government of the Kirk of Scotland, by sessions, presbyteries, provinciall and generall assemblies, beeing in subordinatione one to another, except these brethren, who gave in ther judgment under ther hands, viz., Mr. Jhon Row, Maister Jhon Menzeis, Mr. Jhon Seaton. These gentlemen declared that for a considerable space of time, "wee hawe been searching, and yett purpois further to search, into the mynd of God in thesse thingis; but according to our present measure of light, wee humblie conceave, with reverence to preciouse, holy, and learned men of another judgment, that ther are not to be found convinceing scripturall grounds for our classicall subordination, with power of jurisdiction in point of censur. As to the constitution, wee judge that our sinfull mixtures and promiscuous administration of ordinances, without due distinction betwixt the preciouse and the vile, is not the least sinne of thie land for which thie Lord is contending with us."[1]

It was probably this inclination to Independency which Row now manifested, as much as his character for learning, (which, however, was considerable,) which qualified him, in the eyes of the English Commissioners, to succeed Dr. Guild as Principal of King's College, Old Aberdeen, from which they dispossessed the latter in 1651.[2]

Mr. Menzies conformed to the Established Church after the Restoration: and it seems probable that Row was also inclined to take the same course. But the expressions of his loyalty,

[1] P. 219.

[2] June, 1658. Aberdeen will never be out of some fire. Mr. Meinzies, being wearied of his Independency, seems to content to return to the Presbyterie and Synod; yet Mr. Cant and he hes continuall fighting from the same pulpitt, till at last Mr. Cant is removed in small reputation. [Mr. Cant, however, survived till 1664.] Baillie's Letters and Journals, Vol. III., p. 364. Edin. 1842.

which he published,[1] availed him little, "as, finding himself liable to be dispossessed of his principality, he resigned the office; and, having recourse to his original occupation, he opened a private school in New Aberdeen, living for some time on the scanty emoluments derived from this source."[2]

Many incidental illustrations of the rudeness and contempt of law which were so prevalent occur throughout the present volume. It is curious to observe how frequently the outrages which are noticed occurred on Sunday, and during the performance of divine worship.[3] The long proceedings against Lord Glammis and his friends

[1] "ΕΥΧΑΡΙΣΤΙΑ ΒΑΣΙΛΙΚΗ, ad Illustrissimum Monarcham Carolum II. Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Regem, Fidei Catholicæ Apostolicæ et Orthodoxæ Defensorem, &c. CARMEN; quod JOANNES ROW, Principalis Collegii Regii Aberdonensis, in Universitate Carolina Theologiæ et Hebrææ Linguæ ibidem Professor, lætus, laudans, gratulans, solans, hortans, suadens supplicans et precans cecinit."

[2] Notices of John Row, prefixed to his Father's History of the Kirk of Scotland, p. lii. Edinburgh: Printed for the Wodrow Society, 1842.

[3] The following Act of Parliament, dated 5th June, 1592, which narrates that "commonlie all revenges of querrellis and deidlie feidis is now execute in kirkis and kirkyairds," and during the time appointed for divine service, shows that cases like those of Lord Glammis, were not confined to a particular district of the country. It is entitled, "For Punishement of slauchter within kirks or kirkyairdis":—

Item, fforsamekle as crueltie and bluidsched is cumit to sic ane heicht within this land, that the houss of the Lord and his sanctuary is not fre, but filthely pollutit and defylit thairwith in sic sort, that commounlie all revenges of querrellis and deidlie feidis is now execute in kirkis and kirkyairds, at the tyme appoyntit to the seruice of God, and teaching of his haly word thairin, quhairby diuerss personis, for feir of thair lyffes, dar not resort to the preaching of the gospell: for remeid quhairof, the Kingis Maiestie and Estaittis of this present Parliament statutes, ordanis, and declairis, that quhatsumeuir persone or personis committis slauchter within any kirk or kirkyaird the tyme of prayeris, preaching, or ministratioun of the sacramentis, that persone or personis, committeris of the said slauchter, being ather denuncit rebellis, or declairit fugitive for the same, the Kingis Maiestie sall haif full power, not onlie to dispone vpoun thair simple escheat of moveables, bot als vpoun the lyverent of all and quhatsumeuer thair lands, heretages, levingis, tackis, stedingis, roumes, or possessionis, &c. And als declaris that quhatsumeuir persone or personis sall happin to resett ony of the saids personis, quha beis denuncit rebellis or fugitiue for the saids slauchteris committit within the saids kirkis or kirkyairds, declarator being first

resulted out of the murder of Patrick Johnston, committed by them at the kirk of Belhelvie on a Sunday, during the administration of the sacrament of baptism. From the evidence given on the subject, it appears that Lord Glammis "drew the first suerde, and than beand furtht of the kirk yarde, he and his complices came within the same againe, and persewit the said umquhill Patrick within the said kirk yarde, distant fra the said kirk dur tua space or thairby." The minister deponed that he could not see how the fray began, "in respect he wes than on cum furtht of the pulpitt in the actione of baptisme." He, however, afterwards came out "to sie gif he culd stay the truble," but found that the bloody deed had been completed. He remarked that Lord Glammis and his "complices, as well as Patrick Johnestone, hade suerdis drawin in thair handis, and sic lik saw in John Lyon and John Scrimgeoris handis pistollis, and ane in the said Patrik Johnestounis handis."[1] Lord Glammis, after many attempts had been made to induce him to compliance, having failed to satisfy the wife and family of his victim by payment of a suitable composition or assythment, and to submit himself to the discipline of the Church, "it was ordenit that the censuris of the kirk be execute aganis my lord and his complices, committaris of that slauchter,"—but at this stage of the proceedings, the actione was "advocatit befoir the Kingis majestie, and the moderatour and commissionaris of the General Assemblie," so that the presbytery were now to "heir and sie the king and counsall modifie the satisfactioun to the pairtie."[2]

The *criminal* proceedings were instituted against Lord Glammis and his accomplices, "for airt and pairt of the slauchter of umquhill Patrik Johnestonne of Mostoun; and for beiring and weir-

past vpoun thair said resett, the resettaris of thame sall incur the samin pane and tinsale of thair lyverentis.

[1] P. 188. [2] P. 192.

ing of pistollettis contrair the tennour of the Actis of Parliament :"[1] but, at the first diet, the proceedings were adjourned in virtue of a warrant from the King. And, on the arrival of the second court day, the cause was deserted by the complainers, so that it is probable the whole matter had been compromised.

In 1608, a complaint is made against Alexander Mortimer, "for injuring of Maister Johne Makbirnie, minister, upon the xxviii day of Junii last, in tacking his hatt aff his heid, and stricking him on the face thairwith."[2]

At a time somewhat later, we find reference made to the "miscarriage" of William Creichtoune and his wife, in their parish kirk of Auchterless, "on the Lords day, immediatlie after the close of worship (the minister being in the pulpit), by blaspheaming, cursing, and swearing, as also upbraiding and threatning the minister."[3]

At the same time we read of a "discord and outfall betuixt Williame Forbes of New, and Johne Forbes of Edinglassie, with ther complices, and ther feichting, wounding, and hurting uthers upon the Lords day."[4]

In the subsequent year, a complaint is made by the minister of Inverury against George Ferguson, in Ardtamies, "for wronging and injuring him upoun the Lordis day, whilst he wes about his duetie at dwyne service."[5]

In 1668, an act was passed by the Synod for restraining scandals at marriages, partly on the representation that "ther haue bene some unmaried women surprysed and caried violentlie away be men (especiallie be the men of the Highland countrie), under pretence to marie them."[6]

Alexander Innes of Sinnahard, who was convicted for various scandals, resided in a part of the country somewhat inaccessible.

[1] Pitcairn's Criminal Trials, vol. ii. p. 386.

[2] P. 61. [3] P. 277. [4] P. 278. [5] P. 279. [6] P. 290.

and close upon the fastnesses of the Highland district on the river Don, seems to have been very difficult to "deal" with, and the precautions given as to citing him afford no proof of his peaceful habits. It is ordered that "any proces persued, or to be persued, against Alexander Innes of Sinnahard, befoir the Presbytrie of Alfuird, quher he leives, or any other churche judicatorie (in case he shall threaten or offer any violence to the officer who is to summond him, and the same being provine and made out), his citatione to any dyet from pulpit, by the minister of the parochin quher he leives, on ane Lords day after sermone, shall be als sufficient as if he wer cited by any messenger or officer."[1] The citation of witnesses in Strathdon, a district lying a few miles farther into the Highlands than the residence of Alexander Innes, was not considered a safe business even fifty years after this period. On one occasion, in the early part of the eighteenth century, it was stated by an officer, during a trial before the Sheriff of Aberdeenshire, that "the law did not pass into Strathdon"—meaning that warrants could not be enforced in the ordinary way in that district.

Patrick Leith, the laird of Harthill in the Garioch, had bequeathed two communion cups to the kirk of Oyne, and one to the kirk of Rayne, "all of which were plundered in the tyme of the trubles;" but the laird's successor was anxious to reclaim these cups, and "incessantly vexed both the ministeris of the saidis kirkis, as also the wholl Presbyterie of Garioch, because the saids cuppes ar not given back to him, that he may make use of them at his pleasor." In this dilemma it was judged prudent to take steps for restoring the cups to their original owners; and, in the meantime, the presbytery was directed "to keep the saidis cuppes in a secreitt and prudent way."[2]

[1] P. 295. [2] P. 212.

The following adventure, which befell Alexander Jaffray of Kingswells, his brother Thomas Jaffray, and Mr. Andrew Cant conveys to our minds a lively picture of the prostration of law and utter disorganization of society which were produced by the domestic wars of the time of Charles I. The incident, which occurred in 1644, is narrated by Alexander Jaffray in his curious Diary.[1]

One day having gone with Mr. Andrew Cant to Crathes to visit his son, Mr. Alexander, on our way back we were encountered by the Laird of Harthill, the younger, who was then returning from the battle of Kilsyth, where Montrose had gained the sixth and last battle he had over Scotland. We were, by the said Harthill and the Laird of Newton Gordon, taken prisoners (Mr. Andrew Cant, my brother, Thomas, and I). After very much threatening presently to have killed us, especially I was threatened, as being guilty, they alleged, of Haddo's death, who had been executed for his rebellion against the State; yet it pleased the Lord to restrain their fury. We were that night kept prisoners at Aberdeen, and the morrow, carried to Pitcaple, where we were left under the custody of Petrie Leathe, brother to Old Harthill . . . . . At last we attempted a very desperate like piece of service, which, had it not pleased the Lord, in a wonderful manner, both to give us courage and success more than ordinary, we could never, in any probability, have been able to have carried through . . . . . One day, in the afternoon, all the men, except two, being abroad, whereof one was an old decrepid body, we resolved to go and shut the gate. Having had advertisement that some of our friends, commanded by Major General Middleton, were that night at Aberdeen, having come north after the battle of Philiphaugh, we were confident that if we could get possession, and maintain the house till the morrow morning, our friends would before that time be at us for our relief. We having gone down (I and my brother, Thomas, with a soldier of Middleton's, whom they had caught straggling from his colours), found, by our expectation, two as able men as any in the company standing in the very passage of the door, being about the flaying of an ox which they had lying within the door. I being first, when I saw them began to think of returning, but fearing that they would espy what we were about by the others following me, I resolved to go forward, and was much encouraged by their withdrawing a little without the door to make sharp their knives for the work they were about. Finding them without, though they were close at the door, we went down and offered to make it fast, which at last, with

[1] Diary of Alexander Jaffray, Provost of Aberdeen, one of the Scottish Commissioners to King Charles II., and a Member of Cromwell's Parliament. Lond. 1833.

much ado, we got done. Then, having full possession of the house, we made fast the iron gate, and put ourselves in a posture of defence. The rest, being advertised, came about the house, and so continued until night. By reason of their being there, one of our servants, who had undertaken to give advertisement to our friends at Aberdeen that they should come for our relief, was forced to lie and hide himself all that day, so that it was the morrow, at nine hours, before he came to Aberdeen, and then our friends were gone. So our help that way was disappointed, but the Lord provided for us another way. The Laird of Leslie, the younger, having advertisement from the country people that we had taken the house, gave advertisement to some friends, who came on the morrow by one or two hours in the afternoon—the Lord Frisell, the Laird of Echt, Colonel Forbes, with the number of thirty horse, or thereabout, and fifty or sixty foot. This was very observable, that as they came without any advertisement from us, so did they come in the most seasonable time, when we were well near spent, having been pursued very sharply from nine hours until then. After we had beat them several times off, and killed one of them, at last they were driving through the wall, at a place where we could get no sight of them; and when they were almost gotten fully through, then our friends came, when we were even fainting and going to give over. We received our friends, and entertained them the best we could, and parted that night with them, having set our prison on fire, it not being tenable.

Mr. Jaffray adds the following remark as to the behaviour of the garrison:—"Sometimes some of them were content to be present at our private exercise of God's worship, morning and evening, which was constantly performed by that gracious and worthy man, Mr. Andrew Cant, who, on the Lord's-day, occasionally preached publickly in the great hall. Sometimes all of them were present, and had something like convictions at the hearing of the word, which was preached unto them with much boldness and freedom. Yet did they go on in the frequent practice of their drunkenness and abominable vices, so that we, being very weary of their company, frequently would project and talk among ourselves of ways to escape."

When the Episcopal form of Church Government was established at the Restoration, it appears to have been almost unanimously received by the clergy within the province of Aberdeen.

Mr. John Menzies,[1] Professor of Divinity in Marischal College,

[1] Besides various Controversial Tracts, Mr. Menzies published "A Sermon on his Majestie's Arrival and Restoration to his Government, by Mr. John Menzies, S.T.P. in Acad. Mares. Aberd. 1660."

and Mr. George Meldrum, one of the ministers of Aberdeen, refused for a short time to conform, and, on that account, were suspended from their offices; but they appear to have speedily relented, as they both were members of the immediately succeeding Synod. There are few sources of information more full and authentic than these Records in illustrating the forms of ecclesiastical proceedings in the Scottish Establishment, between the Restoration and Revolution.[1]

The "Directiones for the visitationes of churches"[2] show that the rigour with which this part of discipline was exercised in earlier times had not relaxed.

The visitation of a parish church was performed by certain ministers of the Presbytery in which the parish was situated. The enquiries then made were, in the first place, directed towards the conduct of the clergyman. After this was disposed of, the behaviour of the elders was considered, the general parochial economy was enquired into, and exhortations were addressed to the minister, elders, heritors, and masters of families.

The elders were examined one by one as to their opinion of the minister's conduct; and the searching nature of the examination on this head will be understood from the questions which were addressed to them at the outset—"*Primo*, Iff ther be preaching on each Lords day, and how often; 2d, Iff the minister preach to ther edificatione, and be careful in reproving of sinne, both publictlie and privatlie, especiallie these sins which most prevaill among the

[1] As authentic materials for illustrating this period of our Church History are very scanty, the Editor has annexed to the Preface a few extracts from "A Short Account of Scotland," by the Rev. Thomas Morer. This gentleman, who was an English clergyman, passed part of his time in Scotland as chaplain to a Scotch regiment, and in this little volume (now very rare) he gives the result of his observations on the general state of the country, and particularly as to the forms of public worship, and the general economy of the Scottish Establishment.

[2] P. 299.

people; 3d, Iff, he keep at home, not steering abroad unnecessarlie: 4th, Iff his conversatione be uithout lightness and vanitie, grave and exemplarlie in piety; 5th, Iff he doeth uithout necessitie resort to tavernes; 6th, Iff he administrat the Sacrament of the Lords Supper, and how often in the year; 7th, Iff he be carefull to debarr all such from it as are scandelous; 8th, Iff discipline be diligentlie and impartiallie exercised; 9th, Iff he be carefull to visit the sick, when he is informed or called therunto; 10th, Iff he be a good example to the people in ordoring of his own familie; 11th, Iff he visit the tounes and families of the parochine, and excite them to pietie and the familie dewties; 12th, Iff he be dilligent in catechising and impartiall in takeing paines to prepare young persones befor they partake of the Lords Supper; 13th, Iff he be carefull to mantaine peace and promove it and love among all the people, and to reconcile these that are at variance."

After the testimony of the elders had been received, the minister was required to answer certain questions, addressed to himself, with respect to his conduct, which extend over three pages of the present volume.

The Records also present us with the forms by which proceedings in disputed elections of ministers were conducted at the period in question,[1] and the volume contains throughout many minute facts which can only be here generally alluded to, but which will materially assist the historical enquirer in arriving at a just conception of the effects produced by great political and religious measures on the mass of society; and will afford materials for enabling him to realize to himself the manners and opinions which prevailed at various periods of Scottish history, in a way more accurate and picturesque than he can do by the pages of the general historian.

The selections have been in all cases made from the original Re-

[1] P. 321.

cords. Those which appear at the commencement of the volume are taken from the first five volumes of the Records of the Kirk Session of Aberdeen. It is to be regretted that various gaps occur in this series. Thus, the Record from 1578 to 1602 is wanting, as well as from 1623 to 1630, and from 1640 to 1651.

The ancient Presbytery Record of Aberdeen, from which the second part of the volume has been gleaned, is in the Advocates' Library; and no intermediate Record of this Court is known to exist till the commencement of another series several years posterior to the Revolution.

The Registers of the Synod of Aberdeen, from which the concluding portion of the work has been selected, consist of two volumes. The earliest one contains the proceedings of fifteen Assemblies, from 21st October, 1651, to 17th April, 1660. Of these the first twelve were held in the New Kirk of Aberdeen, and the last three in the College Kirk of Old Aberdeen. The second volume contains the Records of thirty-one meetings of Synod, from 21st October, 1662, to 21st October, 1680, of which the first twenty-seven took place in the College Kirk of Old Aberdeen, and the last four within "the Bishops Lodging;" "the Bishop[1] not being able, by reason of his weakness of body, and the coldness of the weather, to go to the ordinarie place."

The last entry records the proceedings relative to the admission of Mr. James Garden to be Professor of Divinity in King's College, and is dated 2d February, 1681.

The principle on which the extracts now printed have been made was to select those entries which served to illustrate the history, the prevailing opinions, and general state of society of the various periods over which the Records extend, and where there were

[1] Bishop Patrick Scougall; he died on 16th February, 1682, in the seventy-third year of his age.

many entries of the same nature, and relating to the same class of subjects, to prefer a specimen which might be considered as most interesting, either from the character of the parties or the importance of the circumstances connected with it. The heterogeneous contents of the Records prevented any classification or arrangement of the Selections, farther than what resulted from an adherence to a chronological order, which appeared to the Editor to be the least objectionable plan which he could pursue. With the view of facilitating reference to subjects thus unconnected, a Table is prefixed to the volume, which contains a short note, indicating the subject of each extract; and an Index of the principal persons and places is added at the end.

JOHN STUART.

ABERDEEN, *2d May*, 1846.

APPENDIX.

A SHORT ACCOUNT OF SCOTLAND:

Being a Description of the Nature of that Kingdom, and what the Constitution of it is in Church and State, written by the late Reverend Mr. Thomas Morer. minister of St. Ann's within Aldersgate, when he was chaplain to a Scotch regiment. London, 1715. [The copy, from which the following extracts were made, is in the Library at Auldbar.]

P. 47. To shew the unreasonableness of so much heat and rudeness in shutting Episcopacy out of doors, when its temper in Scotland is such, that tho' in name and jurisdiction it is called Episcopal, yet the way of its administration is so wide from Episcopacy elsewhere, that any stranger would take it for little else than Presbyterian, and an indifferent eye that sees the agreement in their worship and discipline, cannot but think it a dispute about words.

For, to examine particulars under the late government by bishops,

1. They had private courts in every parish, sometimes called consistorial, and sometimes kirk sessions, where the minister, as president, and a competent number of laymen (according to the parish), took cognisance of lesser scandals, &c. They met once a week, kept a register, which was put into the custody of the precentor or parish clerk, and was produced as often as they had business. In these meetings, the provost, or some other civil magistrate, was present, to give 'em countenance, enforce their acts, and awe sawcy offenders, which, as it took off much of the odium the Church had otherwise had, so it made her censures more terrible upon instances of scandal.

2. They had their presbyteries likewise, of the same nature and number of ministers as before represented. Here they handled weightier matters, considered and punished greater scandals, and sometimes capital crimes, yet only as offences injurious to the honour and safety of the Church, not to exempt them from the secular judges. They met monthly; had a sermon in the church where they sate upon business, then dined together, to compose those little feuds which might probably arise upon debating questions.

3. They had provincial synods, as they call 'em, twice a year, made of one bishop and the several presbyteries within his jurisdiction. Here the bishop was president, who took knowledge of what was done in their ordinary meetings, examined the most important scruples and highest matters relating to the Church; and, in case any misunderstanding arose between him and his presbyters, there might be an appeal to the metropolitan or General Assembly, or King, whom the law made judge of all such emergencies. So that thus far, in point of discipline, there seems little difference between the Presbyterians and them; and, for the next thing, the Divine Service, they agree as well in it, as we shall see anon.

However, though their kirk-sessions and presbyteries savour of the Presbyterian classes, and are, as one might conceive, derived from 'em, and follow them so close in the methods of governing the people, yet because they allow and respect the name of bishop, and give him an account at their six months synods of what they did in their presbyteries and parishes, because, as perpetual moderator, he influenced their consultations, and had the power of mission and ordination, as with us, therefore this government of their Church was called Episcopal, though hardly to be discerned for such by travellers who have seen what Episcopacy is in other places.

P. 50. The ministers are regular, and whilst Episcopacy kept its standing the prelates and they wore gowns and cassocks, which, as they are garments of distinction, so they warn the wearers to walk more carefully, and do nothing unbecoming their profession.

They have no casual perquisites, which we call surplice fees. Christnings, marriages, and burials are gratis, at least nothing is demanded, but left to the generosity of the party, which seldom shows itself on these occasions.

P. 52. The ministers of Scotland crave a blessing on what they eat or drink at any hour, tho' only a glass of wine or a quaff of beer to treat a visitant, and this they repeat as often as fresh company invites 'em to it. And after an entertainment, as soon as the table is rid, the mistress of the house shakes the guests by the hand, one after another, as a testimony that she meant 'em welcome.

I know of no Book of Canons they have except the Perth Articles and the Directory above mentioned, which they also seem to have an eye to, and are very uniform by that means in their worship and discipline, which is much helped by the Pastoral Letters sent the Presbyteries, and their frequent Synods, at which the Presbyteries meet together, and though they have very rarely a General Assembly to draw together all the Presbyteries at once, yet the constant correspondence they hold with one another, and the often meeting of the bishops, especially in Parliament time, is found sufficient to procure and preserve uniformity, and make 'em speak and do the same thing.

In the country they [the churches,] are poor and mean covered, no better than their ordinary cottages, . . . but in the burghs and cities they are bricked and tiled, and well enough furnished with galleries and other conveniences for the parishioners. The precentor's desk is under the pulpit, and, under him, the stool of penance, or rather, a bench, for five or six to sit on, to be seen by the congregation, and bear the shame of their crimes.

Chancels they have none, nor altars, and though there are tables for the use of the presbyteries, and to administer the sacrament, yet they are differently placed in several churches, lest the uniform situation of them might end in superstition. So very careful was the Episcopal Church of Scotland not to give offence to the Presbyterian, that she became little more than Presbyterian herself, to reconcile that party to her.

Bells they have none, or very rare, excepting the Saint's Bell, to call the presbytery or congregation together. Yet, on the steeples, besides the hand-dial, they have an engine to show the change or age of the moon, and how she appears in her several quarters.

P. 59. However, the Episcopal Church have hitherto used no Liturgy at all, no more than the Presbyterians, who now govern; yet she every where agreed in the way of worship, and their whole service on the Lord's-day (having no other holidays, except fasts and feasts upon special occasion; for though they had a Calendar in the Directory, above [mentioned], where there are the names of divers saints, yet it is more for the use of their fairs, and to know the age of the moon, or when the sun enters the signs, than anything else) depends on these particulars:—

First, the precentor, about half-an-hour before the preacher comes, reads two or three chapters to the congregation, of what part of scripture he pleases, or as the minister gives him directions. As soon as the preacher gets into the pulpit, the precentor leaves reading, and sets a psalm, singing with the people till the minister, by some sign, orders him to give over. The psalm over, the preacher begins, confessing sins and begging pardon, exalting the holiness and majesty of God, and setting before him our vileness and propensity to transgress his commandments. Then he goes to sermon, delivered always by heart, and therefore sometimes spoiled by battologies, little impertinences, and incoherence in their discourses. The sermon finished, he returns to prayer; thanks God for that opportunity to deliver his word; prays for all mankind, for all Christians, for that particular nation, for the sovereign and royal family (without naming any), for subordinate magistrates, for sick people (especially such whose names the precentor hands up to him), then concludes with the Lord's Prayer, to sanctify what was said before. After this another psalm is sung, named by the minister, and frequently suited to the subject of his sermon, which done, he gives the benediction, and dismisses the congregation for that time. This is the morning service, which

being repeated, pretty early in the afternoon (because in the interim they eat nothing), makes up the Lord's-day duty as to public worship, saving that they forget not the poor, who are numerous and unprovided for by law, and so put into the basin what they think fit, either at their going in or coming out, to be disposed of by the minister and elders in such proportions as the necessities of the people require and the summ will allow 'em.

This is the Churches way in Scotland, and it seems to us Presbyterian, and. therefore, we the more admire that the two parties shall so much disagree between themselves, when they appear to the world so like brethren. . . . They both do it [their worship] after the same manner, saving that after the psalm the Episcopal minister uses the Doxology, which the other omits, and concludes his own prayer with that of the Lord's, which the Presbyterian refuses to do.

P. 62. Baptism is mostly done in the church, and on the Lord's-day, when (after sermon) the minister discourses on the institution, necessity, and benefits of that sacrament, then he prays for a blessing on the present action, and beseeches God that the baptising of the child (or children) may answer the ends for which the ordinance was made and continued among 'em. After which, some questions are proposed to the father (for he presents the child, and holds it in his arms) concerning the creed, and the care he is to take for the education of the infant, to make his behaviour suitable to it and the honourable character which baptism confers on him. To all which, the father giving affirmative answers, the minister prays the second time that God would be pleased to continue the parents in this belief and good resolution, and dispose the child to be governed and guided by him; then, with water out of a bason conveniently fastened to the pulpit side, the minister sprinkles the child in the name of the Father. Son, and Holy Ghost, and so a very few words more added, dismisses 'em with the usual blessing. The same method is used at home, in private baptism, but without a sermon.

2. The Eucharist, or Lord's Supper, is rarely administered (perhaps once or twice a year), and with great caution. 'Tis given to the congregation sitting after the example of the Apostles eating the old Passover, who did it in a gesture like our sitting at table; but whether the same gesture was kept after the Paschal Supper is more than anybody knows.

3. Marriages are openly solemnized in the church, and indifferently on any day of the week.

Being come to the church, and standing before the pulpit, and standing apart from the rest of the company, the minister offers a short discourse about the nature and reasons of matrimony, such as the Directory and our Liturgy mention, directs 'em to join hands without using the ring.

There is a custom in some places where the bride, at the time of the marriage.

goes bareheaded to the church, and so continues all that day, but is covered ever after.

Burials are made without a minister, whom they will have so far from Popery concerning the dead, that he must not be concerned in interring the corps, and is seldom seen at their most solemn funerals. As soon as the party is dead, notice of it is given by the sound of an hand bell and a cryer, who, at the most convenient places of the town, proclaims it after this manner: "Faithful brethren and sisters, I let you to wot that there is a faithful brother [or sister] departed, as it hath pleased Almighty God. He or she was called [name him], and lived in [so gives his dwelling]."

A day or two after, in a way of invitation, the same man goes about the second time, and notifies the hour and house where the neighbours may assemble to attend the deceased to the place of buriall. There they accordingly meet; and the coffin being covered with a large black cloth or velvet pall, sprinkled with herbs and flowers, the body is carried in this order: 1st, Divers ranks of men walk before it; then comes the dead party, carried, not on the shoulders, but by three poles (like those our chairmen use), with three men on each side the coffin or bier to support it, and convey it along. After the corps, follows a greater number of men than was in front, but in rows or files, and in the rear a promiscuous company of women; then [the] body is put in with little ceremony, and [they] separate

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SELECTIONS

FROM THE

RECORDS OF THE KIRK SESSION

OF ABERDEEN.

SELECTIONS

FROM

THE RECORDS OF THE KIRK SESSION OF ABERDEEN.

In the name of God Fader Sonne and Halygaist: Amen.

The electioune of elderis and deaconis of the congregatioun of Cryst his peple, within the burgh of Aberdene, maid in the paroche kirk of the same, in tyme of preching, the day of Nouember, yeir of God 1562, namit and pronuncit be the minister vndervrittin, admittit be the haill congregatioun present for the tyme, and acceptand the charge and office forsaid vpone thame for this present yeir, to do, vse, and exercise the samen during thair office, as thai vill ansuir to God.

The Minister, ADAM HERIOTT.

The Provest, THOMAS MENZES.

Magistrate.

Dauid Low.
Gilbert Kentor.
George Lyell.

Elderis.

M. Robert Lummisden.
M. Duncan Forbes.
M. George Myddilton.
Dauid Mar.
M. Patrik Ruderfurd.
Alexander Chalmer.
Gilbert Menzes, elder.
Gilbert Malysone.
Alexander Knollis.
Johne Lowson.
Dauid Menzes.

Deaconis.

Johne Tullidaffe
Johne Leslye.
Thomas Branche
Henry Spens.
Alexander Litster.
Patrik Gray.
Robert Richertsone.

Maister Thomas Fyme, Scribe to the Assemblie.

The quhilkis personis assignit and appointit Thurisday, owklie, to be the day of thair conventioun and assemblie in the Chapterhous of the paroche kirk of Aberdene, immediatly efter the preching befoir none, and thair to convene, day and place forsaid, euere ane of the forsaid personis, except ane just and lauchfull impediment, quhilk salbe seiknes or absens of the toun, vnder the pane of twa s. ilk persone, to be wptakin be the ressawaris of the purellis almows, all vder excusatioun set asyde, and thair to trye, discusse, and examyn all faltis and offencis, alsweil of thamselfis as off the haill inhabitantis off the burgh, that reformatioun and amendiment may be had as Goddis blessit vord requiris.

Thurisday, the tent day of December, 1562.

The quhilk day the assemblie present for the tyme, onderstanding and aeknavleging the omnipotent, immortal, and eternal Fader, Sonne, and Haly Sprete, thre personis and ane God, the Creator and Maker of hewine and earth, and all that thairin is, alone to be feared, served, worshipped, and honored: and that his feare, service, and honour chefle standis and consistis in obeying his will: and his hevinlie will to be found and persawit in his most haly Ten Commandements geven to Moyses vpone Mont Synai: quhairin is contenit all quhat he villeth his peple to do, and quhat to liff vndone: Seing also the haill scripture of God to tend and shote at this scope and mark, to knaw the gud will and plessure of him, exprest in his haly ordinances and lawis; and considering Goddis most haly word to be sufficientlie, treulie, and sincerelie prechit and taucht within this burgh (praying the Almychtie the samin may continew and lang induir): and yit many grewous and haynous crimes and offencis quhairby the just vengens of God is provokit to fall vpone his peple, is regnand within this toun, to the gryte sklander and offens of the haill congregatioune of the samin, and hynderans to the frutfull success of his blissit word: quharfor, thai fering Goddis skurge and hawy plagis, efter the manifold mercies and lang sufferans of the Lord, geving tham sa lang space to repent and amend thair wicius leving, being eschamit of thair gryte sleuth and negligens in tymis past in nocht punisching sic grosse and grevous synnis and offencis as presentlie regnis and hes roving in this toun lang tyme vnpunischeit; heirfor, that gud lyfe, conversatioun, and maneris may scheyne, and the rottin, poysinit, and filthy flouer of wyce and syne may be wed owt and pluckit wp be the rutis, Thai hawe devisit,

statute, and ordanit certane actis and statutis, as the Spreite of God for this present hes gevin to tham, for mantenans of gud manneris and extirpatioun off wyce owt of this burgh, that the adversaris of the treuth may be put to sylens and thair movthis stopt, and that thai quha hes nocht yit embraced the trew religioun may, be our guid exampill, be allured and provoked to ressume, embrace, and profess the samin, to the glorie of God and the saluatioun of thair awin saulis, exhorting all within this toun to gif attendans and gud eare to the actis following, for thai [are] and salbe agreabill and consonant to the Commandementis off God (vpoun the quhilk all actis and statutis aweht and suld be groundit), albeit thai sall differ in the punischment, for it pertenis to the prince to punische with dethe.

Imprimis, Becaus the First and Second Commandements of the eternal God techis quhow God suld be lowit, feared, and wirshipped allanerlie, with the haill man, saull, hart, mynd, mycht, and stryncht, and all worschipping of creaturis and fals goddis to be idolatry, straitlie condempnit and forbidden be God, Heirfor, it is statut and ordanit that quhatsymeuer he or sche be that techis, haldis, or affermis ony creature in hevin or in ertht to be callit vpone, prayt to, help or succour socht at, pardoun or remissioun of synnis to be obtenit and gottin bot throcht and be the passioun of Jesus Cryst; ony wark of thair awin or vderis to merite or deserue pardon fra the wrath of God for synne bot Criste his merite allanerlie, he or sche, quhat euer thai be, being callit and examinit vpone the samin, halding and afferming the samin pertinately and stubburnly but recantatioun and revocatioun thairoff, salbe remowit, cursed, and excommunicate fra the societie and cumpany of this congregatioun, and haldin as ane ethnik or ane publicane, euer and ay till he or sche return to pennans of the samin. [And quha off the congregatioun kepis cumpany ony maner of vay with that persoun, except it be knawn and prowin for the reconciliatioun and wynning of tham to God, sall ask forgevines of God and the congregatioun, opinlie, vpone the Sabboth day, in tyme of preching; and attour, gife the persoun be potent, sall pay to the puir xx. s. for the first falt, and fourte s. for the nixt falt, and excommunicatioun for the third falt.] [1]

Secundlie, Becaus the taking, speking, and swering of the name of

[1] [The passage within brackets is partially deleted in the MS.]

God in vane, all swering be creaturis, all cursing and bannyng, and, generally, all aithis (except ane juge compell us to declair the treutht) is vickit and forbiddin be the third Commandement of God, Heirfor it is statute and ordanit, that in euere honest mannis or vomannis house thair be tane wp of euere swerar, quhow oft the samin chance, quhilk is potent to pay siluer, for euere falt ane hardheid,[1] and the samin to be faythfully gathered and gevin owklie to the collectouris of the purellis almows, and the servandis and childrene of ilk house to be puneist with ane palm vpone the hand for ilk falt; and quha that is hard and prowin to sweir oppinlie vpon the mercate gate, or hie way and strettis of the toune, gif thai be potent, sall pay for ilk falt xii. d.: gife thai be of puyr degree, salbe put in eukstule or goffis. Item, All oppin and manifest blasphemaris of Goddis name to be putt in eukstulis, with ane crown of paper on thair heid, with ane circumscriptioun of their falt abowt the samin, and being in this maner punished thryce, for to be baneist this toun gif thai perseveir. Item, All fylthe talkaris at the tabill to be puneist as bannaris and sweraris.

Thirdlie, Becaus the sevint day, quhilk is Sonday our Sabboth day, is commandit be God to be sanctifeit and keepit haly, and the brekaris thairoff, as the Scriptur schawis, war puneist with deth, Herfor it is statute and ordanit, that vpone the Sabboth day all craftismen and laubovraris, and all vderis within this toun, desist and cease fra all lauboring and handewark, namely, in tyme of prayeris and preching, vnder the pane of tua schillingis quha beis fund and maid convict in the samin. And that all serwandis within this toun be at the leist ilk vder Sonday at the mornyng prayeris, and att the preching, gife thair maister or maistres will gife tham licyens. And quha of the elderis or deaconis beis absent fra the owkly prayeris and prechingis, and frae the prechingis on the Sonday, thai beand present in the toun, and hawing heltht of body, for euere absens sall pay twa schillingis. And quha of vderis honest personis of the toun beis absent vpone the Sonday frae the prechingis, sall pay for ilk falt (being notit and knawin) sex d.; and all this to be givin to the puyr.

[1] [Hardhead, Hardheid—a small coin of mixed metal or copper. According to Fynes Morison, in his Itinerary, *hardheads* were "worth one penny half-penny." Part I., p. 283. Jamieson's Scottish Dictionary, *voce* Hardhead.]

Ferdlie, Onderstanding that God commandis fader and moder to be honored, comprehending vnder tham all princes, magistratis, and reularis, quha aucht and suld be faderis and motheris to the common veltht, caring and providing for the same, as carnal faderis and moderis for thair children, cursing and wareyng all brekaris of this commandement, Quharfor, it is statute and ordanit, that quhasoeuer within this toun, hawing the substance and riches of this wardle, other he or sche, his fader or moder being impotent and fallin in powertie, and tholis tham to go in begging, or to inlaik thair neidfull sustentatioun, being requirit and cheretably admoneist be the prechour, elderis, and deaconis to support tham, and refusis the sam, thai salbe excommunicat fra the congregatioun; for gif thai that seis thair nychtbour want, quhom thai se, and helpis him nocht, can nocht luff God, quhom thai se nocht, mekle less luff thai God gife thai support nocht thair awin fader and moder. Item, Quha dishoneris prowest, baillie, or magistrate, the precheour or elder, disobeing, and ganestanding thair just and lauchfull ordinances and statutis, being deulie informit and techit of the sam, sall pay for the first disobediens s., for the secund , and for the third, excommunicatioun to be wsit againis that persone; and gif the disobedient persone beis indigent and puyr, sall for the first faill be put in the cukstuil, for the secund salbe excommunicat, and for the third salbe baneist of the toun, for quhair disobediens is na guid order can be.

Fyftly, Seing that the Almychty God hes forbiddin all murther and slauchter, and the committaris thairoff to be extremelie puneist with dethe, and that the principall occassioun thairof procedis off jniurious and evill speche: heirfor, that the occasioun of all stryfe and contentioun, quhairof slauchter and bludshedding cummis may be remowit and avidit, It it statut and ordanit, that quhasumeuer within this toun, he or sche, jniuris and mispersonis thair nychtbour with infamous and hatefull wordis, being callit, accusit, and convict for the sam, sall, for the first falt (being abill to pay ane pecuniall pane) pay xl. s. to the puyr, and ask the jniurit persoun pardon befoir the congregatioun, for the secund falt , and for the third falt ; and gife the jniurius person be simple, and of puyr degre, he sall ask forgivnes befor the congregatioun of God and the party, and say *Toung ye leid* for the first falt, for the secund salbe put in the cukstule, and for the third falt be baneist the toun.

Sextlie, Knawing that adultery, huyrdom, and fornicatioun, quhilk is all carnall copulatioun betuix man and woman (without, and by the lauchfull band of matrimony), is defendit and forbiddin be the expres word off God, and the committaris thairoff to be puneist with dethe, quhilk is negligentlie ouersene, and nocht regardit be all Cristian princis. to quhom it appertenis to puneish the same: It is statute and ordanit that all bordeleris and notorious and manifest harlotis and huris be remowit and baneist frome this toune, namely quha ar common and rady to all and syndrie that vill persew. Item, All pandarousse, quhilkis ar perswadaris of madynnis or mennis viffis to committ hwirdom, with witins huirmongeris and harlottis, to be baneist siclik. Item, All vderis fornicatouris, alsweil men as wemen, that of lang continewans hes nocht be[en] bleckit with that fylthe lust, to be, for the first falt, remittit, asking forgivenes of God and the congregatioun, quhom thai hawe sklanderit, and finding caution to forbeir, vnder the pane off ; and for the nixt fault, carting, dowking in the water; and, for the third falt, salbe baneschit.

Item, Adulteraris, manifest and oppinlie knawin, to be cartit throcht the toun, and put furth of the sam, for the dew punischment of the law of God is deth, and becaus the Assemblie and magistratis of this toun hes na power to puneisse the same be detht, for the princis hes nocht ressauit Goddis law in that part, thairfor thai can nocht ellis but purge thair toun of sic rottin membris.

Item, All suspect personis of adultery, quhair full probatioun can nocht be had, bot ane suspitioun risin throcht evill apperans and onlyklenes, being admoneist off the sklander givin be thaim to thair nychtbouris, to absteine and forbeir the cumpany of tham with quhom thai ar suspect, namely, at sic tyme and place as may gener suspitioun; and, gife thai continew to perseveir efter the admonitioun of the precheour and elderis, thai to be haldin and repute as manifest and oppin adulteraris, and to be puneist according to the same.

Sevintlie, Considering the gryte plage of poverty regnand in this cuntrie, and skarcite of wittallis in the sam, quharthrow sic gryte confluence of purell resortis and drawis daly to this toune, amangis quhom ar many sturdy beggaris, pykaris, and pylleris of vder mennis

gudis and geir, and gryte thyft, committit throcht verray neid and necessite: heirfoir it is statute and ordanit, that all extranear beggaris owtborne of this towne be remowit thairfra, and nane to be tholit to remane heir aboun xxiiij houris; and quha that herberis tham langer, to be puneist for breking of this charge. And all wder decayt purell, natywe born, within this toun, to be billit, that, thair nummer being knawin, provisioun may be maid for tham, conforme to vder godlie reformit townis; that at the kirk dur and in commun stretis thai be nocht tholit to go, as thai do, begging and crying daly without ceasing.

Auchtly, Seing that bering of fals witnes is forbiddin be God, and the transgressouris of this commandement to be puneist with the deth: and also seing that sklandres, railyeing, and backbyting of our nychtbouris name and fame is fals witnes bering, gif the sam can nocht be justly prowin in dew tyme and place: Heirfor, it is statut and ordanit that all sklanderaris, bacbytaris, and railyearis being convict of that cryme, sall, for the first falt, ask God mercy and the party sklanderit in presens of the congregatioun, and, for the secund falt, be putt in the cukstulis, and say *Toung ye leid*, and, for the third falt, be baneist the toun.

Item, All common skoldis, flyttaris, and bardis[1] to be baneist the toun, and nocht sufferit to remaine thairin, for na request.

Item, Gife ony without the congregatioun, quha professis nocht the trew religione, accusis ony of the assemblie or congregatioun behind his bak of ony notabill or criminabill offens or falt committit be him, the herar sall tak witnes thairoff, and schaw the sam to the assemblie. And gife he verefeis his allegeans and saying, the person offendand salbe puneist conforme to the falt; and, gyfe nocht, he salbe puneist in likmaner as the accusit persone suld hawe bene, in cace he hed bene giltye.

Item, Quhasoeuer is prowin to mok, skorne, and hawe in derision

[1] [In our old laws Fules and Bards are synonimous expressions. The term was applied to those strolling rhymers who were wont to oppress the lieges. Jam. Scott. Dict. v. *Bairds*.]

the preching of the word off God, the precheour, elderis, or deaconis, thair actis and constitutionis, maid or to be maid, or to perswade the symple and ignorant to disobey gud order and reull, and to remane fra preching or prayeris quhen thai may be gudly thairat, salbe puneist according to the ordour off vder reformit townis.

Item, That all nychtwalkaris, commone cartaris and dissaris, and dronkartis, within this guid toun, be admoneist to desist and cease fra sic vicis; and, gif thai forbeir nocht efter gentill admonitioun, to be opinlie rebukit in the pulpit, and, thirdlie, to be excommunicatit fra the societe of the congregatioun, vntill the tyme thai schaw oppin signis of repentans.

Item, Because it is onderstand that syndrie suspect personis, of evill fame and report, cummyng furth of vder townis and places, ar ressate in syndrie places of this towne, and remanis lang tyme heirin, hawing na occupatioun, craft, nor handling of merchandreis to leiff on, and yit nocht obstant spendis largely and prodigally, walkis the haill nycht, drinking, carting, and dissing, quhilk is verray suspitious and sklanderous, and maist hurtfull and dangerous to the commone veale: Heirfoir, it is statut and ordanit, that triall be tane of sic personis, quhairfra thai com, and quhairon thai leiff, and quharto thei ar bown; and gif thai tare in this toun aboue xxiiij houris, being knawn suspect and wane personis, to be baneist and put owt of the sam, without fauour, neuer to return agane, vnder pane of byrning vpone thair cheik; and quha ressaittis sic personis sall aduerteise the prowest, baillyeis, or officier of tham and thair namis, at thair first cuming, vnder pane of sitting in the cukstule for ane day, and gife thai luge tham langer nor xxiiij houris, or ressaittis tham efter thair banischment, thai to be bannist tham selfis, during the vill of the Assemblie, for thair disobediens.

Item, It is ordanit that na disputatioun nor ressonyng of the scripturis be at denuar or supper or oppin table, quhairthrow arrysis gryte contentioun and debate, and that na flyting nor chiding be at tyme of meit, vnder the pane of tua s. to the puyr.

Item, That the precheour publeish nor speak of na speciall mater, to

the rebuking of ony notable or particular persoune, without the consent and avisament of the Assemblie had thairto, and gif he do he sall onderly the correctioun of the Assemblie.

Item, That he baptise na barnis gottin in huirdom, except the fader be present, to schaw and mak oppin repentans of his faill, and that cautioun be found that the moder of the barne compeir siclik, quhen scho is abill of persoun, to mak oppin repentans of hir faill sicklik, and that thai bayth find cautioun to abstene, or than to mary, vnder the pane of , and that nane be baptised bot vpone the preching day, and that befoir the preching fornone.

Item, Becaus syndrie and many within this toun ar handfast, as thai call it, and maid promeis of mariage a lang space bygane, sum sevin yeir, sum sex yeir, sum langer, sum schorter, and as yit vill nocht mary and compleit that honorable band, nother for fear of God nor luff of thair party, bot lyis and continewis in manifest fornicatioun and huirdom: Heirfoir, it is statut and ordanit, that all sic personis as hes promeist mariage faythfully to compleit the samen betuix this and Festeranis Evin nixt cummis, vnder the pane of .

Item, That in tymis cuming, for eschewing of sic fornicatioun, na personis that promeisse mariage sall hawe carnall copulatioun togidder vntill the tyme thai compleit the band, and that cautioun be found that thai compleit the same within efter the promeis making, and thair bannis to be proclamit wpone the Sonday, and na vderwais; and quha that makis promeis of mariage, lat it be befoir the minister or the clerk, to the effect thair names and day of thair promeis may be putt in wryte.

Item, That the minister nor the clerk gife na summondis of diuorce furth aganis ony persoun without the avise of the Assemblie.

The act anent the fylthie vyce of Fornicatioun, and punisment of the samyn.

Item, It is statute and ordanit be our Souerane Lord, with auise and consent of his darrest Regant, and Thrie Estatis of this present Parlia-

ment, that gyf any person or personis within this realm, into burgh or land, sall commit the fylthie vice of fornicatioun, and beis conuict thairof, that the committeris thairoff salbe puneist in maner following, That is to say, for the first falt, alsweill the man as the woman, sall pay the sowme of fourte pundis, or than he and scho baithe salbe imprisonit for the space of aucht days, thair fud to be breid and small drink, and thairefter present to the mercat place of the toun or parochin, bairheid, and thair stand, fesinit, that they may nocht remove, for the space of twa houres, or fra ten houres to tuelf houres at noun; for the secund fault, being conuict, thai sall pay the sowm of ane hundreth merkis, or thane the foirnamit days of thair imprisonment salbe dublitt, thair fud to be breid and vattir allanerlie, and, in the end, to be presentit to the said merkatt place, and baith the heiddis of the man and the voman to be schavin. And for the third fault, being conuict thairoff, sall pay ane hundreth pundis, or ellis thair imprisonment to be tripplit, thair fud to be breid and vattir allanerlie, and, in the end, to be tene to the deipest and fullest pule or wattir of toun or parochin, thair to be thryse douckit, and thairefter baneist the said toun or parrochin for euer. And fra thinfurth, quhow oft that ewer thai be conuict of the forsaid vice of fornicatioun that sa oft the said third penaltie be execute vpoune thame. And that the provest and baillies off ilk burgh, the Justice Generall and his deputis, or sic vtheris personis as it sall pleis our said Souerane Lord to giff commissioun vnto, be jugis to the personis suspect and delatit of fornicatioun, and, being conuict, that thai sall lift and tak wp the aboue writtin pecuniall pains of the personis responsall, and rather villing to pay the samin nor to be demanit in thair personis. And that the saidis corporall panis of imprisoning, banessing, and vtheris aboue specifyit, be execut vpon all sic personis as outher refusis to pay the pecuniall pains or that ar nocht responsale to pay the samyn; and that the samin pecuneall panis quhilkis sall happin to be ressauit be suerlie kepit in ane close box, and be conuertit *ad pius vsus* in thai partis quhair the cryme is committit, as it sall pleis our said Souerane and his derrest Regent to command, and the ressaueris of the said panis to be redde to gyff accompt thairof quhan euer thai salbe requyrit thairto.

Thuirsday, the xxi of Januar, 156$\frac{2}{3}$.

The said day, it wes ordanit and decretit in the Assemblie that

Elspet Murray suld be baneschit this toun, conforme to the act maid for the punishment of common bordeleris, becaus it is sufficiently prowin that scho is ane of thai personis, and, thairfor vnmete to hawe remanyng or duelling in ane reformit toun, and that betuix this and Saterday nixtcummis; and to be first cartit throcht the toun, and thairefter baneschit, be oppin proclamatioun at the mercat croce.

The last day off Marche, 1568.

The said day, the haill personis aboue vrittine [the Elders and Deacons] maid ane solempnit ayth in Goddis presens to keip althingis spokin and said in the common assemblie secrete, and nocht to revele ony thing thairoff, vnder paine of periurie, and depriving of tham off thair place in Assemblie; and to be denuncit in pulpit the cause of their depriving. And als obleist thamselffis, ilkan seueralie, to declair, efter thair knavlege and consciens, all and quhat sumeuer person or personis thai knaw to be spottit with notoriuss and manifest faltis and crymes, as thai vill ansuer to God.

The said day, the Assemblie ordanit and devisit the punitioun for adulterie as followis: That ilk persone conviet in the said cryme sall cum thre seueral Sondays, at the secund bell ringing, to the kirk dur quhair the peple enteris that day, bairfut and bairleg, cled in sak-clayth, with ane crovn of paper on thair heid, with the cryme vrittine thairabout; and remane thair quhill the precheour begin his sermond; and thairefter sall cum in oppin place of repentans, and remane standing quhill the end of the preching, and than pass again to the same dur, quhair thai sall remane to be ane spektakl to the haill peple quhill all folkis be past hame and depairtit fra the kirk.

The said day, Villiam Cryste, cordinar, being complenit vpon be Janet Kyd, his lawfull mareit wyfe, for putting hir away from him, and taking in her place ane hwyr, callit Margret Myrton, and halding house with her, being callit bayth befoir the Assemblie, and accusit for the sam, culd nocht deny; and the said Villiam planlie spak and affermit he wald never ressaue his vif agane for ony man that wald speik with ane tong, quhairfor the Assemblie decretit and ordanit tham bayth to be puneist conforme to the act maid aganis oppin adulteraris.

Thurisday, the viij day of Aprile, 1568.

The said day, it is ordanit be the haill assemblie, with thair awin consentis, that quha beis absent on the assemblie days, other elder or deackin, being present in the toun, and nocht seik or haiving vder laucht-full impediment, sall pay, ilk man, tua s., to be gevin to the puyr.

The said day, it is statute and ordanit that na barness be baptisit bot vpone the vsuall preching days, and that befoir preching foirow none. And that na barnis borne in hwirdome be baptised on na ways, except the fader be present to fynd caution that he and the moder of the barne sall cum at sik tyme as the kirk appointis to him and her, and mak oppin repentans, vnder the pane off And als to fynd caution to absteine in all tymes cummyng, or than to mary, vnder the pane off .

Twysday, the xii day of Aprile.

The said day, it is ordanit be the Assemblie, that nether the minister nor reader be present at contractis off mariage-making, as thai call thair handfastinis, nor mak na sic band, vnder the pane of ; bot that the namis of the promissaris be gevin in to the reader, to proclame the bannis thairby, and that na money be tane thairfoir.

Item, That na personis contrackit in mariage hafe carnale copulation togidder befoir the solennization off the mariage; and gif thai do, thai sall mak thair oppin repentans, as fornicatouris, befoir thai be admittit to mariage; and gif the minister admittis ony parteis to mariage, repentans nocht beand maid, he sall mak his repentans thairfoir.

Item, [The haill Assemblie] ordanis tryall and examination of the minister, elderis, and dyaconis, and redar, to be had off thame, off thamselfis, four tymes in the yer, concernyng thair liffis and conversation, according to the vse off vder kirkis. And befoir the tyme off communion, that sik tryall be maid, be the haill kirk, vpone the minister, redar, elderis, and dyaconis, off thair conversation.

Item, Ordanit that the fader of the barne that is to be baptised, and, in his absens the nerrest frende off the barne, or the gosseppis, cum the day

befoir the barne is to be baptised, and schew the redar, to the effect he may aduerteise the minister, quhidder the barn be gottin in matrymony or nocht.

Item, That na barne gottin and borne by matrymony be admittit to baptysme, except first the fader, or, in his absens, a neir friend, or the gossep, fynd souertie that the fader and the moder sall compeir befoir the Assemblie, day and place appointit for the sam, and thair to ressave iniunction for thair humyll submissioun and repentans, to be maid befoir the minister and the haill kirk, vpone ane Sonday in tyme of preching.

Thurisday, the xii day off Nouember.

The said day, the haill Assemblie decernit the transgressouris againis the religion, quha cummis nocht to heir the word of God, to be first handillit and travellit with gentilly, gife be ony meanes possible thay may be von, vderwais to proceid againis tham according to the actis of the Kirk and Parliament.

Thuirsday, the xxvj of Nouember.

The quhilk day, the Assemble inionit to Master Robert Rowst to cum Sonday next cummis, Thuirsday the third of December, and Sonday thairefter, and stand at kirk dur, bairhedit, in his awin elathing, fra the [first] bell to the tyme the prayer befoir preching be endit, conwit be twa elderis, and than cum and stand in the repenting stule till the preching be endit, and theirefter pas to the kirk dur and remaine till the peple depart haill furth of the kirk, the saidis days *respective*, and on the thrid day to mak his recantation publicklie, and confession of the fayth, according to the actis of the Kirk and Parliament.

The said day, Margret Heriot being callit befoir the Assemblie, and complenit vpone be Gilbert Kyntor and James Kintor, as scho that hes bene the instrument to draw the said Gilbertis dochter, Mett Kyntor, to huyrdom, and that committit vith Villiam Sincleir, in maister Adamis evin chalmer, her broderis chalmer, in absens of the said maister Adam being in Edinburgh, in September last wes 1573, the said Margret confessit scho knew that the saidis personis had carnale dale togidder in the said chalmer, bot denyit that scho wes pan-

darous to tham or bringing of tham togidder: Quhairfor, the Assemblie, becaus scho knew and revelit nocht the sam, jugit her gilty and culpable of that fylthy act, and remittit her to the magistrat, to be puneist according to the jugement off the counsell off the toun.

21st January, 1573–4.

The Assemblee ordanis the minister to charge and admonyshe, on Sonday nixt cums, all and sundrie within this toun to compeir on the nixt Assemblee day, to try and examin the lyffiis of the minister, elders, and dyaconis, and to lay to thair charge sik thingis as thai knaw to be sklanderous to the kirk.

Thurisday, the xxviij day of Januar.

The said day, the minister, redar, elderis, and decanis, being tryit on thair lyffis and conversatioun, togidder with thair howssis and families, ilk persoun tryit seueralie be thame selfis, wes found sufficient and qualefeit in thair offices, lyffis, and conversatioun. And, in respect that libertie wes publiclie proclamit in pulpit quha vald giff in accusatioun aganes ony of thame that thai suld compeir this day, and thai suld be hard; the quhilk day na persoun compeirit to accuse any person in the session off thair lyffis and conversatioun: Quhairfor, sylance ves protestit for in all tymes cuming, except quhat occasioun wald giff wthervayse.

16th Feby.

The said day, inhibition made to the decanis of the cordinars, vobstars, telyers, and baxteris, to remoif all superstition and occasion thairof, in keeping of ony holy day, or ony wther festuall dais quhilk wes vsit of auld tyme befor; bot to keip only the Sabet day, callit the Sounday, to be keipit in preiching and prayers.

24th April, 1574.

The saide day, admonition wes gewen to Johne Cumyng, and to the maister of the sang schole, that thay give no play nor any priwoledge to theyr scholors in the dayes dedicated to superstition in Papistrie, but shal reteyne them those dayes at theyr lessonis; and, gif parents wil stope theyr children to come, they shal signifie the same to the kirk.

The said day, Andro Philpson wes delatted for blasphemying the doctrine and ministrie of the Kyrk, for the quhilk the balye was desyred to put him fast till forther tryell might be had.

29th April, 1574.

The sayd day, Andro Philpson wes conuicted, be Johne Hay and Andro Breberner witnesses, of the forsayd sclanderis speeking, the quhilk he himself imputed to drynk, therfor the kyrk ordanis him, upon Sonday next, to present himself in the plece of repentance, and thayr to ask God and his kirk mercy, and also desired the magistrate to punish him ciwilly.

4th May, 1574.

Because that the tyme off fast approachis, and of publick humiliatioune, quhairby that na mariage may be haid and compleit induring that tyme, in respect of the exersise induring the said tyme,—persons under promise of marriage were required to complete the contract within fifteen days.

17th June, 1574.

The said day, Jonett Maytland being desyrit lik as sche wes abefor to refuse all poynts of papistry, and to adioyne hir to the religion, and to imbrace the sacraments, as thai ar now ministrait, she refusit to git ony resolait ansr, bot remanit still stubburn as sche wes obefor.

Thir personis wnder wrettin hes refusit all kynd of papistry in all kynd of points, now dampned be the Kirk of Scotland and thre estatis of the same, and did adioyne thame selfis to this religioun, prechit and manteanit now be the Kirk of Scotland and the said estats, and promesit to be subiect to the discipline of the Kirk in all tymes cuming, viz.. Jonet Knowis, Maister George Anderson and his viff, Bessie Senzor, the relict of Maister Thomas Fynne, Katrine Hay, Mariorye Wrquhart.

17th August, 1574.

The said day, Bessie Lowson, being requirit giff sche be villing to fourthfull the bands of matrimonie with Patrick Menzies or nocht, quha ansrit that sche wes, and is at all tymes, reddy to accomplis the bands

quhen ewir he pleis: and the said Patrick being requirit in his awin presens to perform the said bands, and the kirk ordains him to perform the said bands betwix this and Mechelmes, under the pane of fywe hundreth merks, and fand Gilbert Menzis, eldar, with him self, coniunctlie and severally, for payment of the same, and the said Patrick to raleif the said Gilbert, and this wes done befor the Erl of Buchan, my Lord Glammiss, and Mr. James Balfur, send to the session of the kyrk, for the samin effect, by my Lord Regent's grace, at the minister's request.

The sayd day, Gilbert Menzeis, younger, wes accused befor the sayd lords and session for not cumming to the communion according to his promise, made in Edinburgh, twayes before my Lord Regent's grace and counsall, when all his excusationes were layed a syd, and commanded ether to joyne himself to the next communion, betwix that tyme and All Hallowes, or els that the sentence of excommunication should pass upon him without any forther delaye, and this inioyncion wes gevin to the minister, Mr. Johne Crag, be the sayd lordes and session of the kyrk.

The sayd day, it wes concluded be the sayd lords and session, that Patrick Menzies shuld ather perform the sayd band of matrimonie according to the tyme appoynted, or els both paye the sume appointed, and be excommunicated, and in this meane tyme absteyne from hir, and make theyr publict repentance for the selander committed.

16th November, 1574.

The said day, the sessione ordanis and desyris that the counsall of the toun sall caus and admonis the haill merchands that haldis merchand buthes to steik thair buth durris on the preching day, fra the third bell begyn to ring till the preching be donn.

30th December, 1574.

The said day, certan personis chargit befoir the Assemble for plaing, dansin, and singin off fylthe carrolles on Yeull Day, at evin, and on Sonday, at even, thairefter; the quhilk personis com and grantit thair faut, and vas punist for the sam (the names folowing, Jonet Troup, Elspet Mongumre, Mage Mair, Jonet Red, Nans Murray, Jonet Lyndsay, Ma-

rione Rait, Nans May, Isabell Cullen, Jonet Murray, Nans Dower, and Alexander Fydleris vyff, Andrew Buk's servand, Thome Cartons ald voman, callit Mage.

22d January, 1574.

The said day, the sessione ordanit that the almes gevin and gatherit at the kirk dour sall be gevin to honest decait personis, and not to commond beggaris.

18th August, 1574.

Comperit Gilbert Menzies of Cowly, Maister Patrick Rutherfurd, Maister George Middiltoun, and Alexander Chalmer, baillies of Aberdeen, quhilks wer admonyshit be my Lord Regentis .grace, in presence of the Lords of Secreite Counsal, in maner and to the effect following:

That thay suld inhibite and expresslie pvnishe the superstitious keping of festuall dayis vsit of befoir in tyme of ignorance and papistrie, and all playes and festing at thai tymes.

That thay punishe the blasphemaris and abusaris of Goddis name . . . &c. &c.

That thai permit na marcat to be kepit within the toun nor fredom thairof vpoun the Sabbaoth day, quhairby the people may be withdrawin fra the serving of God, vnder the pane of escheting of the guids thatt sal be presentit to the saidis mercatts, conforme to the Act of Parliament maid thairanent, gevand, grantand, and committand to the provest and baillies, commissione, pour, and charge sa to do, as thai vill anser vpoun thair obedience.

That the personis knawin and suspectit to have and keip imagerie or vtheris monumentis of ydolatrie be chargeit to present the same.

That the organis, with all expeditioun, be removit out of the kirk, maid profeit of to the vse and support of the pure; and that the prestis stallis and bakkis of altaris be removit furth of the places quhair thai now remane, and situat in the partes of the kirk quhair men may be best easit be thame to heir the sermonis, and sic things that servis nocht for that vse to be uthervise disponit or maid money off.

That the pure be nocht defraudit of the almous collectit at the kirk dure, but the sam to be distributit as is the custum in the uther reformit kirks of this realme; and that thair be contributione maid be all the

parochinaris for beating and reparatioun of the paroch kirk, according to the Act of Parliament maid thairanent: Quhairanent ordanis the provost and baillies to do diligence.

That the haill place, alsweill the kirk as the rest, sumtyme pertening to the Gray freris, except samekle as is thoycht requisite for the ludging of the pure, be rowpite to the maist availe, and sett in few heretable to sic as vill giff maist yeirlie dewetie thairfore; and the sam to be fullie applyit to the vse and sustentation of the pure.

That the provest and baillies, in thair awin houss, tak upoune the godlie rowling thairof, and admonische all utheris, thair nychtbours, to do the like. And that thai [ ] nor foster nocht the vices and sclanderis of tennentis and houshald servandis; but forther the correctioune of thaim, as thai sall happin to offend, ather be ordour of the kirk or the magistratis, as the caus requiris.

That the provost, baillies, and counsale of Aberdeen uptak fra James Leislie present possessioune of the croft and myre pertening to the lipperfolk, betwix New and Auld Aberdeen, the yeirle dewete thairof off the fiwe yeiris bygane confessit avand be him, and thairvith and sic vther collectioune as may be hade, to caus the said hous be theikkit and reparit for the resett off the said lipperfolk in tym cuming. And efter the end of the ane yeiris tak now clamyt be the said James Leisle, to caus rowp the said croft and myre quha vill giff maist yeirlie dewetie thairfor fra thre yeir to thre yeir; and to caus the haill proffeit that may be had thairof be employit vpoun the vphalding of the said hous, and sustentatioun of the lipperfolkis thair sal be thairin.

1st March, 1574–5.

The said day, comperit Maister Andro Affleck and Chrystane Leislie, and promest that thai suld compleit the band of matrymonie: George Leislie cautioune for keping off the ordinance of the kirk.

22d March, 1574–5.

The said day, Mariore Vrquhart being examinit befoir the sessioun of Aberdeen of hir religioun, ansairit that schow wald nocht cum to the communion, nor yitt to submit her self to the kyrk, allegeand scho had sic ane pyk on her conscience that schow culd nocht be fulle of this present religioune now in Scotland.

24th November, 1575.

The said day it is statute that all persones being absent fra the preching on the Soneday, without leful besiness, and all persones duelling in this toun gangand in the gaitt, or playing in the lynks, or vther places, the tymes of preching or prayaris on the Soneday, and all persones makand mercatt merchandese on Soneday within the toun, being accusit, heird, and fundin giltie be the sessioun, all sik persones, in all tymes cumming, sal be secludit fray all benefite of the kirk vnto the tyme thai satefie the kirk in thair repentance, and magistrat be ane pecuniall pane, and for observing heirof the baillies to causs mak an act heiron in the tounis bukis, with consent of the haill inhabitants of the toun.

9th February, 1575–6.

The said day, Mage Moreson is decreit to pay vi. sh. viii. d. to the magistrat, and Andro Cathness is becomis caution for her repentance making quhen she is requirit, and that for the abusing of hir selff in claything of hir with mennes clayes at the like [wake] of George Elmislyes wife.

17th May, 1576.

The said day, William Menzeis and Alexander Rutherfuird ar ordanit be the session, with thair awin consent, to pass throw the inhabitants of this burt for suppoirt of thame to beit the Gray Freiris kirk.

3d January, 1576–7.

The said day, John Tullideff, cordonar, is ordanit to pass to the croce, the next Setterday, thair to sitt with ane crovn of paper, for the fornicatione committit be him with ; and sic like the said , at hir rysing out of jesing lair, and thai bayth to mak thair repentance, and thairefter the barnis gottin betwix thame in fornicatione to be baptesit.

10th January, 1575–6.

The said day, the haill deacones of craftes within this burt, ar ordanit to tak triall of thair craftes *respective* for sitting ydill on Yoill day last wes, and to gif answer thairin on Thurisday nixt.

The said day, the sessioun decreit that giff Christan Fodringame, Isobel Freser, Burnett, Raitt, with thair complices. tryit presentlie as dansares in mennes claythes, vnder silence of nycht, in houss and throcht the toun, beis fundin heirefter in the like falt, thai sall be debarrit fray al benefite of the kirk, and oppinlie proclamit in pulpeit.

31st January, 1576–7.

The said day, Besse Smyth is ordanit to cum to the croce on Setterday nixt, thair to sitt with ane crovn of paper, and to mak her repentance as ane adulterar.

28th March, 1577.

The said day, James Cadenheid and Jonet Ailhouss desirit thair bands to be proclamit, thai ar bayth ordanit to cum to the croce, on Setterday nixt, thair to sitt with crovnis of paper, and to mak thair repentance, and thairefter thair mariage to be solempnizat.

13th June, 1577.

The said day, it is statute, with consent of the minister and haill session, that na personis sal be mareit in tymes cuming bot vpoun the stoill befoir the desk, conforme to the vse of Edinburgh and vther kirks; and ordanes the minister to publeis the same ordor oppinlie in pulpat.

27th June, 1577.

The said day, the haill skippares of Futye, being accusit of the crymes wnderwrittin, is ordanit, of thair awin free motiue will, to forbeir selling of fishe on Soneday in tyme of preching or prayaris, failyeing thairof, the fishe to be escheit to the hospitall in tymes cuming; and siclike to forbeir superstitious dayis, sic as Mydsomer avin, Peter avin, and vtheres dayis.

22d May, 1578.

The said day, it is ordanit be the minister and sessioun that na mariage be solempnizat outwith this kirk in Nig, nor na vther kirk,

bot on the Soneday, and that noch without testimoniall subscriuit be the minister and clerk.

The said day, with universal consent of the minister and session, it is ordanit, for instructing of the haill indwellaris of this burt, als veill young as auld, in the catechisme, that, in times cuming, the reidar reid ane portioun of the catechisme, and the bairnes to answer him; and that howoft the prayaris be red on the Soneday in tymes cuming.

The said day, Dauid Cargill is electit and chosin maister of Sanct Thomas Hospitale within this burgh, as also of the hospitall betuixt the townis, for the yeir to cum; quha, being personalie present, exceptit the said office in and vpone him, and gawe his aith diligentlie and faithfullie to exerce the said office.

The samen day, Jonet Gil, Johne Andersoun, cordonar, and Jonet Crystie, wyff to Johne Robertsoune, flescher, ar vnlawit ilk ane of thame in the vnlaw of thrie s. four d., for thair absens fra the sermones on Sonday last.

14th November, 1602.

The said day, John Michell is ordanit to be put in the kirk wolt, thairin to remane quhill he sett cautioun to adhear to Margrat Quhytt, his spous, and to intertene her as becums him.

The said day, Johne Davidsoun, wricht, being warnit to this day for the secund terme, to answer to the complaint of his wyff; being callit and not comperand, the sessioun, in respect of his contumacie, ordanis him to be apprehendit and put in the stepill quhill he obey thair ordinance concerning his adhering to his wyff, and his behaviour to hir heirafter.

21st November, 1602.

The said day, Christene Burnett is ordanit to stand in the sessioun hous quhill Setterday next, and then scho to be had throw the towne in ane cart with ane croun of paper on her heid, and thairefter scho to be publictlie baneshit at the mercat croce; and that as ane pandarous and seducer of her sister, Marioun Burnett, to harlatrie, with James

Sinclair, committit in the said Christenis awin hous, and the caus quhy sho is sua vsit to be declarit opinlie be the hangman.

28th November, 1602.

The said day, the wyff of James Banerman, for working on the Sabboth day, vnlawit in sex sh. aucht d.

The samen day, the sessioune ordainis that na baxters within this burt work nor baik any bakin meatt in tyme cuming on the Sabboth day, vnder the pane of ane unlaw of , to be exactit of the contrauenar, *toties quoties*, without favor.

5th December, 1602.

The samen day, ordanis Jonett Scherar, quha wes baneshit obefoir for harlatrie, and is cum in agane within this burt, but licence, and sen hir incumming hes fallin of new agane, to be apprehendit and put in the kirk wolt, and thairefter to be doukit at the cran, and publictlie baneist of new againe at the mercat croce; prouyding gif sho pay ten merkis of penaltie, to be fre of hir douking, and no vtherwayes.

19th December, 1602.

The said day, Gilbert Keyth, sone to the Erll Merschall, confessit the committing of fornicatioun with Jelis Cadenhead; his penaltie modefeit to ten pundis, and to mak his repentance at his nixt incumming to this towne.

16th January, 1603.

The said day, Johne Mathesoun, Johne Huchoun, Andro Will, and Alexander Duncan, wer unlawit, ilk ane of thame, in thrie sh. 4 d., for thair absence fra the sermones on Sonday last, confessit be thame selffis.

30th January, 1603.

The quhilk day, in respect of the present irreverent and contemptuous behaviour of Thomas Mollisoun, committit be him presentlie, in presence of the haill sessioun, boith be word and countenance, in saying to Alexander Jaffray, baillie, quho wes admonesing the said Thomas to be off ane

gude behavior, That the said baillie aucht not to speik vnto him, nor accuse him, bot onlie the bischop: The sessioun thairfor ordanis the said Thomas to be instantlie committit in prisoun, in the stepill, thairin to remane quhill Tuysday nixt, till the ending of the sermone, at quhilk tyme it is thocht meit that the sessioun sall convene and tak farder ordour with the said Thomas.

27th February, 1603.

The samin day, anent the bill gevin to the sessioun be Maister David Wedderburne and Maister Thomas Reid, maisters of the Grammer Schooll, mackand mentioun, That in tymes bypast the scholeris of the said schooll, quho suld hawe bene edifeit in godlines be the hering of the word, hes bene, aganis conscience, neglectit in that poynt, be reasoun thay sitt in sic a place quhair thay can not heir the voce of the minister; desyring thairfor, seing thay ar the seminarie of the kirk and commoun weill, to prouid sic a place for thame as thai may heir and may be instructed; lykas, the maisters promeist to be diligent in exacting ane compt of everie ane of thame, particularly efter the sermones, as at mair lenth was contenit in the said bill: Quhilk being red in sessioun, and thay thairwith being advysit, fand that the place quhair the bairnis of the Grammer School sittis is altogidder incommodious for heiring, the same being directlie behind the pulpitt in the auld kirk, on the north syd thairof, and thairfor appoynted and ordanit that in tyme cuming, fra this furth, the scholeris of the said Grammer Schooll sall sitt everie Sonday in the new kirk, on the degreis vnder the new loft, quhair thay will boith heir and sie the minister of the word.

6th March, 1603.

The samyn day, the session considdering that the seattis vnder the loft in the new kirk, quhilk wes appoynted for ane place to the bairnis of the Grammer Schooll to sitt in, in tyme of preiching on the Sabboth day, will not contene the halff of the bairnis, thairfor findis it meit and expedient that sa mony of the scholeris as ar cum to discretioun of yeirs, and ar habill to giff ane compt of thair edificatioun, sall sitt in the loft of the said new kirk, and thair tak thair nottis of the preichingis, and ane of the maisters of schooll to sitt with thame in the said loft *per vices*, and the remanent bairnis, of les aige, to sitt on the seattis and degries vnder the

said loft, and the vther maister with thame, to gif attendance that na disordour nor perturbatioun be maid be thaime in tyme of preiching; and that the scholeris cum into the kirk everie Sonday befoir the ringing of the third bell.

3d April, 1603.

The quhilk day, Williame Blair confessit the committing of fornicatioun with Jonet Knowis; his penaltie modefeit to fourtie schillingis, quhilk wes instantlie gevin to Andro Stevin, student in the College, for his support, being ane puir scholer, wanting moyen to by him buiks, and being ane townis barne.

The samen day, upon the supplicatioun gevin in by Andro Stevin, student in the College of this burt, cravand support of the sessioun to help his intertenement at the College during his four yeirs cours in the same; seing he is a native born townis barne, and hes not the moyen to mak his intertenement, being fatherles, the sessioun ordanis thair collector to gif to the said Andro, for the present, the sowme of fyve merks to his support, till a better help be prouidit for him heirefter; quhilk fyve merks wes instantlie payit to the said Andro, as followis, to vit, fourtie sh., quhilk wes payit be William Blair, for his penaltie, and tua merkis payit be Gilbert Mayne and Robert Fuddes, for the unlawis of thair equippage that wer absent fra the examinationis befoir the commvnion.

8th May, 1603.

The said day, it is thocht expedient that ane baillie with tua of the sessioun pas throw the towne everie Sabboth day, and nott sic as thay find absent fra the sermones ather afoir or efter none; and for that effect that thay pas and sersche sic houss as they think maist meit, and pas athort the streittis; and cheiflie, that now, during the symmer seasoun, they attend, or caus ane attend, at the ferrie boat, and nott the names of sic as gangis to Downie, that thay may be punischit conforme to the act sett downe aganis the brackaris of the Sabboth; sielyk, the sessioun appoyntes ordour to be tane with the absentis fra the sermones on the vlk day, and thair names notit and gevin up to the session.

The samen day, the sessioun nominattis and appoynts Thomas King, Dauid Cargill, Alexander Kempt, Thomas Douglas, and George Elphin-

stoun. censuraris and captowrs, to nott and challenge sic as thay heir ban or blaspheme Goddis halie name on the streittis or ony vther pairt of the towne, or about the same, and to tak the penaltie of four penneis, at the leist, of the transgressours, sic as may pay the same, *toties quoties*, and theas that hes nocht siluer to pay to gett a straik on the hand with a palmer.

22d May, 1603.

The quhilk day, the sessioun ordanis sic of the inhabitantis of Futtie as com not to the commvnion, to be poyndit for the doubill of the unlaw that thay wer poyndit for of befoir, as relaps in disobedience, becaus the commvnion wes of new agane ministred and publietlie intimat.

24th July, 1603.

The said day, the magistrattis and sessioun ordanis Alexander Andersoun, sumtyme duelling besyd the Newbrught, and Katharine Gawan, his spous, to be baneist this burt and fredome thairof, as strangeris and vnlauchtfull nyehtbours, and the said Katherine to be doukit at the cran.

The samen day, ordanis Jonet Strathauchyn, tuyis baneshit of befoir, and yit remaning in this burt, to be festnit to ane cart as ane notorious banesit harlott lymmer, nocht worthie to remane within this burt, and to be drawin throw the haill streittis of the towne, and scurgit; and thairefter to be takin to the mereat croce, and thair publietlie baneschit this burt and fredome thairof: with certificatioun, to theas that resettis hir thairefter, or gevis hir meatt or drink, to incur the penaltie of ten punds *toties quoties*.

14th August, 1603.

The samen day, the magistrattis and sessioun, considdering that the Sabboth day is grytlie prophanit and brockin within this burt be a gryt numer of people within the same, be haulding of ane commoun mercat of flesche, fische, peattis, grass, kail, and herbis on the Sabboth day; as also, be bearing of burne[1] be a gryt nomer of theas that brewis, to the grite dishonour of God, sklander of his kirk, and con-

[1] [The water used in brewing. Jam. Dict. *ad. loc.*]

tempt of the actis and discipline thairof, procuring thairby the judgementis of God to be execute on this burt, gif the same remane vnpvnischit: Thairfor statutis and ordanis that thair sall be na maner of mercatt, nather of flesche, fishe, peattis, grass, kail, nor herbis, permittit to be hauldin within this burght, fredome, nor teritorie thairof, on the Saboth day in ony tyme cumming, nor na burne carreit on the Sabboth day to brew with. Discharging and inhibiting, be thir presentis, all kynd of mercat to be hauldin in tyme cumming on the Sabboth day within this burt or teritorie thairof, ather of fleshe, fishe, peattis, grass, keall, or herbis,; and ordanis, that quhasoeuer contravenis this present act, that the flesche, fishe, peattis, grass, keall, or herbis that sal be apprehendit fra this day furth selling on the Sabboth day, sal be confiscat and escheat to the vse and support of the hospitall and puir; and the seas of sic as sal be fund careing burne on the Sabboth day, ather afoir or efter nune, to be brockin. And ordanis the bailleis to caus attend euerie Sonday in tyme cumming, that this act be put to scharp execution aganis the contravenaris. And this act to be intimat be oppin proclamatioun at the mercat croce on Setterday nixt, and als be the hand bell: Provyding alwayes, that fra four howris efter nvne furth on the Sabboth day, it sal be lesum to sell kaill and herbis, and na vther kynd of waris nor vivaris, and nane to be sauld befoir four hours vnder the pane of confiscatioun, as said is.

25th September, 1603.

The quhilk day, anent the actioun of sclander persewit be Jelis Traill, relict of umquhill Andro Young, cordonar, aganis Johne Fergussoun, burges of this burt, be vertew of ane bill, mackand mentioun that, vpon the third day of September instant, the said Johne come to hir hous, and thair iniured and sclanderit hir maist iniustlie and vngodlie, affirming that scho had bevitched him with hir sorcerie and witchecraft, in sic sort, that scho had wrackit him and consumit his haill guidis and geir; and that scho wes ane manifest and rank witche in all hir doingis, consulting with the devill for his wrak; and that he suld prowe hir to be a witche, and suld folow furth the same: desyrand, thairfor, the sessioun to tak tryell in the premissis; and it being verefeit that the said Johne had sclanderit hir in maner forsaid, that he micht be ordanit to mak hir ane amendis and satisfac-

tioun thairfoir, at the appoyntement of the sessioun. The said Johne being lawfullie warnit to answer to the said bill, oftymes callit, and not comperand; and, at last, he being warnit to this day, to heir and sie decreit pronuncit thairintill, and not comperand, and the sessioun, being advysit with the said bill, and with the depositionis of the witness producit and vsit for preving thairof, findis that the said Johne hes sclanderit hainousle the said Jelis, &c. &c., and thairfor the sessioun convictit the said Johne in the said sklander; and ordanit him to compeir on Sonday nixt in his paroche kirk, and immediatlie efter the ending of the sermone afoirnone, sitt doun on his kneis befoir the pulpytt, and thair confess his offence done to the said Jelis in sclandering her in maner forsaid; crave God pardoun thairfor, and the said Jelis quhom he had offendit, and promeis never to speik nor utter sic sklanderous speiches aganis her in tyme cumming: and, gif the said Johne failyeis heirin, and obeyis not this ordinance, be making of a publict satisfactioun, as said is, ordanis the ministeris to proceed aganes him with the censures of the kirk.

1st January, 1604.

The said day, Alexander Kay, being delatit to the sessioun as ane commoun nichtwalker, carter, and dycer, and ane intertenar of playaris at cartis and dyce in his hous, and being accusit thairof in presence of the sessioun, the said Alexander wes admoneist be thame to abstene and forbear in tyme cumming fra nichtwalking, carting, and dyeing, vnder the panis to be puneist conforme to the discipline of the kirk.

The samen day, Robert Cutberd, cordonar, and Thomas Hay, tincler, were admoneist be the sessioun to abstene from thair nichtwalking, and extraordinar drinking on the nicht, and that thay navyes intyse nor persuade Alexander Smyth, cordonar, to drinking, nor draw him out for that effect on the nicht in tyme cumming, vnder the panes to be puneist as nicht walkeris and drunkartis.

8th January, 1604.

The said day, the sessioun ordanis the sum of ten pundis to be gevin be James Dauidsoun, thair collectour, to be augmentit and conionit to the voluntar contributione and almes grantit be the nichbours of this burt, to Thomas Chirstall, burges of Dundie, for relaving of his sone from the

selaverie and bondage of the Turkis, quhair he is presentlie prisoner: quhilk sowme thay ordane to be allowit to the said James in his comptis.

4th March, 1604.

The quhilk day, Maister Peter Blakburne, bischop of Aberdene, and ane of the ordinar ministeris of the said burght, presentit, in presence of the magistrattis and sessioun, ane missive letter, direct from his Maiestie to the commissianaris of the Generall Assemblie of Scotland, in favouris of the citie of Geneva, presentlie besegit and invadit be the commoun enemie, with ane vther letter direct to the saidis commissionaris from the ambassadour of Geneva, now resident at court, togidder also with ane letter sent be the samen commissionaris to the brethrene of the ministrie of the Presbiterie off Aberdene, of the quhilkis haill letteris the tenour followis:

His Maiesties Letter.

To our trustie and weilbelouittis, the ministeris and vtheris, the Commissionaris of the Generall Assemblie in Scotland.

Trustie and weilbelouit, we greit yow weill: Hering by the ambassadour of Geneva, heir resident, that the same is invadit presentlie by the common enemie, and standis now in gritt danger vnles it hawe sum releiff by the charitie and aid of the professouris of Goddis trew religioun, and the favoraris of that caus; and since all the reformed churches of Europe, and, in speciall, this within our realme of England, ar so weill disposed to the furtherance of that so godlie a work, as thay ar to contribute to the same liberallie, we think thair salbe no les zeale fund in our subiectis thair in thair charitable ayd then the rest; and, thairfoir, we hawe accordit that thair salbe ane voluntarie contributioun collected vniuersallie in all the pairtis of our realme of Scotland, for the ayd and releiff of the said toun of Geneva, quhilk ye sall signifie to the haill brethrene of the ministrie thair, and thairwith require thame to travell everie ane with thair seuerall parrochineris, for moving of all persones, of quhatsoeuer qualitie, to bestow thair charitie, voluntarlie, for the help and releiff of that afflicted towne and province; and that ye name and mak chois of sum honest and fit man for ingaddering of the same, and delyuerie thairof to the said ambassadour, or suche as sall hawe his powar and commissioun to ressaue the samen; and sett doun and appoynt sum speciall day and tyme betuixt and quhilk assurance may be had to

that effect. And sua, sence the said ambassadour him selff can not weill be from ws heir, inrespect of his vther vrgent effaris, remitting that mater to your cairfull regaird and furtherance of his agent, we commit you to God. From our Court at Wiltoun, the xv of November, 1603.

Followis the tenour of the Ambassatouris letter.

Clarissimis doctissimis vigilantissimisque viris dominis ministris senioribus et commissionariis ecclesiarum Scotiae.

S. literas accipietis (fidelissimi venerandique viri) a potentissimo serenissimoque rege defensore fidei vt mandato vestro collecta fiat in regno Scotiae vt in hoc regno constituta est in subsidium reipublicae Geneuensis quam constituere et prestare velitis etiam atque etiam rogo, fauebitis scio causae piae etiam ecclesiae nostrae cum eo perducamur publicis necessitatibus et periculis alteram enim invasionem mollitur dux ille Sabandiae cui fidem frangere et jus gentium jusiurandum pacem pactorumque religionem violare innitum est a natura Pereundum enim sibi putat nisi perimus sed pereuntibus opemque poscentibus succurrit misericors omnipotens et commiserebitur quos commisertus est et nisi spes mihi fallax nimis ecclesia nostra fructum non exiguum a pietate vestra consequetur Ideoque plura scribere supersedeo adde quod in quo statu res nostrae sint intelligere poteritis ex literis amplissimi nostri senatus Deum modo supplex precor (viri clarissimi pastoresque vigilantissimi) et ecclesiis vos conseruet Datum Salisburgo 15 Nouembris 1603

Vobis addictissimus Jacobus Amerantius dominus Asully Reipublicae Genevensis Legatus

Followis the tenour of the Letter sent be the Commissionaris of the General Assemblie.

Grace and pace.

Belovit brether, efter the sicht and consideratioun of sum letteris directit vnto ws fra his Majestie, and fra the Syndices and Ambassadour of Geneva, schawing to ws the grite danger and distres of the toun of Geneva, and his Majesties affectioned lowe and cair for the aid and releiff thairoff, we, for the discharge of our deutifull obedience to his Majestie, and our bund deutie in lowe to our christiane bre-

threne, advysed and resolued to send to yow for your better warrand and informatioun, the autentick copies of theas letteris; as also, to request earnestlie that euerie ane of yow, in your seuerall parochinis, and, if neid be, with mutuall help and counsall, will trawell be all godlie meanis, to mowe all personis, of quhatsoeuer estate, within your boundis, to schaw thair zeall and charetie in this caus to thair afflicted brether. We hawe maid chois of ane honest man, Henrie Nisbet, to be collectour of the contributioun, quha will give yow sufficient acquittances vpon his ressett. We neid not to vse any reasones to mowe yow in this caus, nather hawe we thocht it neidfull to preseryve any forme to yow for expeditioun; bot, least the ambassadour of Geneva, now resident at court, or his agent heir, suld be delayit or frustrat throcht any caus in yow, or the peoples default, quhairby our beneficence, quhatsoeuer, may becum vngrateful and unproffitabill, we hawe sett the first day of May, betuixt and quhilk ye will not faill to deliuer quhatsoeuer salbe collected, and to report your diligence agane vnto ws. Nocht els, bot committis yow to God. From Edinburgh the xxiiij Januar, 1604.

Your brether, and, in thair names, the Commissionaris of the Generall Assemblie. *Sic subscribitur*, Stratoun, Commissionar. Jo. Hall, Richard Thomsoun, clerk to the Commissionaris.

Quhilkis letteris being opinlie red in audience of the magistrattis and sessioun, the said Maister Peter Blakburne, bischop and minister forsaid, cravit thair advyse and opinioun quhat thay thocht meit to be done concerning the desire of the saidis letteris, and what forme and ordour salbe vsit and folowit furth thairanent within this burgh: Quhairanent, the magistrattis, ministeris, and sessioun having advysed, thay fand the desire of the saidis letteris maist reasonable, and that of Christiane deutie it becummis thame, and all the professouris of Goddis trew religioun, to comfort and support thair afflicted brethren in euerie thing lyis in thair possibilitie; and, thairfore, according to the desire of his Maiesties letter, and as it becummis thame of brotherlie lowe and deutie, thay maist willinglie and hartelie accordit, and agreit that thair salbe a voluntarie contributioun collected amangis the inhabitantis of this burght for the aid and comfort of the said toun of Geneva, and for that effect ordanit the ministers to intimat to the congregatioun, from pulpit, an Sonday nixt, as

also on the tua ordinar preching vlk dayes thairefter, that the said citie of Geneva is beseged by the commoun enemie, and that it is his Maiesties will and directioun that throchout all the pairtis of his Maiesties dominiounes thair be a voluntarie contributioun collected for the help and releiff of the said besegit towne, and thairfor to mowe and request the people, as thay tender the glorie of God, and the continowance of the licht of his evangell, to bestow thair voluntar charitie for help of the said toune, as God sall mowe thaire hartis thairto. And intimatioun being made from pulpitt, ordanis then that Alexander Rutherfurd, present prouest, Alexander Cullene, lait prouest, accumpaneit with the bischop and ministeris, and with the baillies, sall pas throw all the pairtis of the toune, and collect a voluntarie contributioun of the inhabitantis, sic as it sall pleas God to mowe euerie ane to grant for the support and releiff of the said beseget citie; quhilk contributioun being collected, ordanis the same to be send south, to be given to the umbassadour of Geneva, his agent, or sic as is appoynted for the collectioun thairof, that the same may be faithfullie delyuerit to the vse quhairfor the same is granted.

29th April, 1604.

The said day, Arthure Settoun, compering in presence of the sessioun, wes admoneist be thame that he suld not intercommon with Maister Alexander Settoun, his brother sone, ane excommunicat papist, nor ressave him in his hous, keip cumpanie, eating or drinking with him in tyme cumming, vnner the paine to be puneist as ane resetter and intercommouner with excommunicat papistis, and the said Arthure promeist to obey the said admonitioun.

6th May, 1604.

The quhilk day, it wes thocht meit and expedient, concludit and ordanit, that thair sal be ane publict fast and humiliatioun of all the inhabitantis of this burt this day aucht dayes, in respect of the imminent danger of the plaig of pestilence quhairwith this burt is threatned, the townes of Edinbrugh and Leyth being alreddie infected with the said plaig, and the burrowis besouth having begun thair publict humiliationis alreddie.

13th May, 1604.

The quhilk day, Johne Melvill, paynter, being accusit be the sessioun

for paynting of a crucifix to the buriall of the ladye of Gicht, quhilk wes borne at hir buriall in the moneth of May instant, the said Johne thairby being the ground and occasioun of the fostering of idolatrie and superstioun, and introducing ane dangerous exampill and preparative thairanent. The said Johne being personallie present, confessit the paynting of a crucifix to the said buriall, quhilk he did at the speciall command and directioun of the laird of Gicht, younger; lyk as instantlie he producit ane missive, direct to him be the said laird of Gicht to that effect, quhairbe he wes speciallie desyrit to paynt the said crucifix. Vpon quhais grant and confessioun the ministeris and sessioun cravit not and instrumentis.

The said day, the sessioun ordanis Helene Smyth, ane puir woman infectit with leprosie, to be put in the hospitall appoyntit for keiping and haulding of lipper folkis betwixt the townis, and ordors the keyis of the said hospitall to be deliuerit to hir.

27th May, 1604.

The sessioun ordained the communion to be administered to "merchands, skipperis, and marineris that wer at the saill the tyme of the lait ministratioun of the communioun, and to sic vtheris inhabitantis of this burt as wer absent fra the said lait commvnioun, ather be reasoun of seiknes, absence furth of the towne, or vthervayes."

Thair wes no meting nor convening of the session vpon the fyft day of August, 1604, becaus of the publict actioun of thankisgeving celebrat be all the inhabitantis of this burt, for his Majesties delyverie fra the conspiracie of Gowrie and his brother, conforme to the Act of Parliament and proclamationis maid thairanent.

24th July, 1604.

Certane heidis and articles of reformatioun, quhairvnto everie famelie within this burght is appoynted to conforme the selff and all the memberis thairof; and the heidis or maisteris of the famelie sall delait the contravenaris to thair awin severall quarter maisteris or visitours.

First, The haill famelie sall keip halie the Saboth day, and that by

abstinence from play and corporall labour thairon; sall resort to thair awin paroche kirk, heir all the sermones thairin, and quha can reid sall lerne to sing and prais God publictlie. And the principallis of famelies, at least, sall keip all the sermones on the ordinarie weik dayes, conforme to the actis and statutes of the counsall of this burght, vnder the panis thairin contenit, and sall convene to the catechesing als oft as thay sal happin to be warnit be the kirk officier.

Secundlie, All the saidis famelies sall daylie twyis humble thame selffis privatlie or opinlie thairin befoir God, vsing divine wirschip, namelie, fervent prayeris.

Thirdlie, Thair salbe no swearing, banning, filthie speking, or vncumlie behaviour in any of the saidis famelies, mekle les on the streittis: the contravenaris to be scharplie punisched with a palmer on the hand, or be a penaltie of money, as thay be of habilitie, and in cace of continewance salbe delatit to the visitouris.

Fourtlie, The masteris of all famelies sall diligentlie try and faythfullie delait all persones giltie or justlie suspect of charming, papistrie, harlatrie, vntymous drinking, nicht walking, or ony vther inordinate levars, and that vnder the pane off doubling of the penaltie, and to be comptit intertenearis of sic synnis.

Fyftlie, No heretour or possessour of lands or buildingis within this burght sall sett or latt any houssis, or ressaue to ludging any persone knawin or suspected to be excommvnicat or obstinat papist, Jesuit, or seminarie preist, or ony vther stranger, befoir thay hawe first signifeit the same to ane of the magistrattis and ministrie, and be allowit to do the same.

Sextlie, Nane of the forsaidis persones sall sett or latt any housse to any stranger puir longer nor a nicht at fardest, an quha lattis or settis any housse to our awin puir, salbe ansuerabill for thame to thair visitouris, as for thair awin domesticks; and, namelie, that thay keip the kirk, and ludge nor interteine no stranger puir, vnder the panis alreddie prescryvit be the magistrattis and counsall.

Quhilkis articlis, aboue wretin, the sessioun, with speciall and express advyse and command of the magistrattis, allowis, ratifeis, and approvis in all poyntis, and ordanis all and everie famelie in this burght, and everie member thairof, to giwe condigne obedience heirto in all poyntis, vnder the panis speciallie contenit heirin, and in the buikis of counsall and sessioun of this burght; and that none pretend ignorance heirof, ordanis everie famelie to have a copie of thir presentis.

Certane articles of diligence quhairvnto the ministrie and visitouris of this burgh ar ordanit to conforme thame selffis.

First, The ministrie ar content, that weiklie, everie Thuirsday at efternone, thay sall avait vpon the examinationis and priwat catechesing of our people, and that ather be all the thrie, or fewar or ma as they may vaik from thair studies, and this to continew in compensatioun of the morning sermones, ay and quhill our peple be better acquanted with the knawlege of the groundis of thair saluatioun.

Secundlie, The visitours ar content vsuallie to convene to the examinationis of thair famelies committit to thame, thair to informe the examinatouris of sic enormiteis in the saidis famelies as neidis rebuke or admonitioun, befoir delatioun publict pas aganes thame.

Thirdlie, Since it is casuall that sum of the saidis visitouris may transport thameselffis from the place of thair present residence to ane vther pairt of the toun, or, by his vrgent effaris, be long absent, thay are all content, and promesis deulie to warne the sessioun or counsell thairof, that tymouslie vtheris may be surrogat in thair rowmes.

Fourtlie, Seing all the visitouris ar nocht presentlie memberis off the sessioun nor counsall, nather can all convene to the privat examinationes in many weikis; thairfor sic visitouris ar content to meit with the ministrie, or sum of thame, ather vpon Twysday or Thurisday efter sermone, quhairby not onlie thay may give vp delatioun, bot also be the better walkened and stered vp to continew thair diligence in thair visitatioun.

26th August, 1604.

The quhilk day, efter incalling of God, anent the complaint and greiff

gevin in to the magistrattis and sessioun vpon the prenteissis and servandis of the haill craftismen within this burght, mackand mentioun that forsamekill as laitlie ane inconvenient hes fallin out in this burght betuixt twa servand boyes, the ane thairof slayne be the vther, and he execute thairfor; and seing throw over mekill libertie, servandis ar easilie intysit to folie and huirdome, cairles of thair dentie to God, thair creatour, and to thair maisteris, quhome they serve on earth, thay being all, for the maist pairt, brackeris and prophaneris of the Lordis Saboth, nichtwalkeris, drunkardis, tuilyeouris, and lowse and inordinat levaris, navayes subiect to the discipline and correctioun of thair maisteris, to the grite displesure of God and his kirk, the perrel of thair awin saullis, and grytt greiff and discommoditie of thair maisteris, quhome thay ar bund to serve. Desyrand, thairfor, the magistrattis and sessioun to tak sum solid ordour for repressing of thair insolencies and disordouris in tyme cumming, that thay may be reducit to the fear of God, the obedience of thair maisteris, and may lewe vnder sum conformitie and discipline, as gude Christiannis aucht to do, in a ciuill and reformit commonwealth. Quhairanent the magistrattis and sessioun advysing, thay causit warne to this day, and convene befor thame, the maisteris of the haill craftis of this burght, with thair prenteissis and servandis, and ilk craft cumming in a pairt with thair servandis befoir the sessioun, the servandis and prenteissis wer scharplie rebuikit for thair lowse and inordinat leving heirtofoir, and were publictlie admoneist and chargit to keip halie the Saboth day, and resort to the hering of the sermonis thairon, precislie, both afoir and efter none, and novayes to absent thameselffis thairfra, bot to attend on thair maisteris, and accumpanie tham to the kirk everie Saboth, baith afoir and efter none, to that effect, and to desist and leawe aff thair nichtwalking, extraordinarie drinking, and vther thair lowse and inordinat formis of leving; certefeing thame, and everie ane of thame, that giff, fra this day furth, any of thame beis noted absent fra the sermones on the Saboth day, ather afoir or efter none, without lauchfull excuse of seiknes or absence aff the towne, the absent salbe compellit to pay the vnlaw of thrie schillingis four d., *toties quoties*, to the support of the puir; besyddis, that they salbe scharplie puneist and tane ordour with, for any vther thair disordouris or rebelliones to thair maisteris, conforme to the lawis of the cuntrie and discipline of the kirk; and everie ane of the saidis prenteissis and ser-

vandis promeist be thair handis vphauldin, to resort diligentlie to thair paroche kirkis on the Saboth day, for hering of the pretching of the word, boith afoir and efter none, vnder the panis forsaidis, and to be obedient in all thingis to thair maisteris, and to be subject to thair discipline and correctioun. Lykas thair maisteris wer admoneist to delait faithfullie thair servandis and prenteissis that keipis nocht the kirk on the Saboth day, both afoir and efter none, or ar inordinat leveris, nichtwalkeris, drunkardis, harlottis, tuilyeouris, disobedient, or rebellious to thair maisteris, or playeris at gouff, bowllis, kyillis, or any vther pastyme, on the Saboth day, quhilk the maisteris promeist faithfullie to delait to the sessioun be thair handis vphauldin.

2d September, 1604.

The quhilk day, efter incalling of God, the sessioun thinkis it meit and expedient, for geving knawlege and edificatioun to the commoun ignorant people and servands, of the groundis of thair saluation, That everie Sabothday at efternvne, betwixt the secund and third bellis, twa scholeris of the Inglische School sall stand vp befoir the pulpitt, the ane demanding, the vther answering, and repeatt publictlie, with a loud voice, in audience of the people, the short catechisme and forme of examinatioun of childrene, in both the kirkis of this burt. That, be the oft repetitioun and hering of the said catechisme, the people may lerne the same perqueir, and be brocht to the knawlege and vnderstanding thairof: and, lykvayes, that the redar of the auld kirk repeat at the ending of the prayeris, both on Sonday in the morning and on the vlk dayes, the ten commandis, als weill as the beleiff, that, be the oft repeting and hering of thame, the commoun people may lerne the same perqueir also.

7th October, 1604.

The said day, anent the bill of sclander gevin in be Helene Gib, spous of Charlie Wilsoun, skletter, vpon Helene Cassie, complenand on hir that, on Tuysday last, the secund of October instant, the said Helene Cassie had maist schamefullie sclanderit the said Helene Gib vpon the hie streit, in calling hir commoun witche, be practizing the same in sic godles maner as the witness culd testifie; the said Helene Cassie being personall present, and being accusit on the said bill, denyit that scho callit the said Helene Gib a witche, bot opinlie affirmit, in presence of

the haill session, that scho spak thir words to the said Helene Gib, quhilk scho saw and wald byd be the same, to vit, That, on the Tuysday or Fryday befoir Bartholl day, in the yeir of God, jai sex hundreth and thrie yeirs, the said Helene Gib past to the spout of the Nather Mylne of this burt, and thair, with ane chopin stoup, keapit thrie sindrie droppis of watter out of the spout, and, immediatlie thairefter, past to the fluid besyd the Trinitie kirkyard with ane chopin stoup, and fillit the same full of the fluid watter, and tuke baith the mylne spout watter and the fluid watter, and keist the same immediatlie thairefter in the first caldroun amang hir burne, and then maskit hir fatt and weische hir standis and bowyes, and tuik the waschinis thairof and watterit the four nuikis of hir hous with it; and quhen scho kuist in the spaitter and the fluid watter in the caldroun, scho said thir words, This is deid and quick tuyis or thryis, and immediatlie thairefter scho tuke ane grene dog hillok and laid the ane halff thairof aboue the dur, and tuke the vther halff and pat it vnder the gantries; and the said Helene Cassie being inquirit of the sessioun gif scho had ony witness to prewe hir affirmatioun agains the said Helene Gib, that saw hir do the premiss, answerit scho had no witness, for thair wes nane present except onlie scho quha wes then servand to the said Helene Gib; and becaus the said Helene Cassie had no witness to prewe hir alledgeance, being plainlie denyit be the said Helene Gib, thairfor the said Helene Cassie wes convict of sclander vtterit and awowit be hir aganis the said Helene Gib, in maner aboue vrittin, for quhilk instantlie the sessioun ordanis the said Helene Cassie to sitt doun on hir kneis in presence of the sessioun, and thair crawe God pardon for hir sclander forsaid vtterit be hir agains the said Helene Gib, and to crawe hir forgiwens in lykmaner for the same, and to grant scho knawis nothing of hir bot that scho is ane honest woman; quhilk ordinance the said Helene Cassie instantlie obeyit, and satisfeit in presence of the session.

14th October, 1604.

The samyn day, it is statute and ordanit that na gude act, statute, or ordinance maid or to be maid be the sessioun be callit in questioun, directlie nor indirectlie, in tyme cumming, nather the executioun thairof nor obedience thairto cum in voting, sua lang as it standis vnreformed or annullit, be common consent of the sessioun, be ane vther act; bot that

all actis and statutes be keepit and observit, and ressauve executioun efter the forme and tenour thairof, in all poyntis, till the same be innovat or alterit be ane vther act, as said is.

The samen day, it is thocht meit and expedient, statute and ordanit, that the baptisme and mariage to be ministred in tyme cumming on the Saboth day, salbe onlie in the kirkis quhair the parentis of the bairnis and parties to be mareit ar proper parochineris, and in no vther, except vpon sic necessitie as quhen both the devydit kirkis convenis in ane: Also, it is statute and ordanit, that the divisioun alreddie maid of the toune in parochinis be observit and kepit in all tyme cumming, and that ilk parochin resort on the Saboth day to thair awin paroche kirk, appoyntit and designit vnto thame, viz.: The Evin Quarter and Futtie Quarter to resort to the New Kirk as thair proper paroche kirk, and the Crukit Quarter and Grene Quarter to resort to the Auld Kirk as thair proper paroche kirk, conforme to the act of counsall maid thairanent of-befoir the tyme of the divisioun of the burght in parochinis.

The samen day, the sessioun findis it maist necessar, statutes and ordanis, that all men and wemen in this burgh quha can reid, and ar of famous report and habilitie, sall hawe bybles and psalme buikes of thair awin, and sall bring the same with thame to thair paroche kirkis, thairon to reid and prais God, conforme to the actis of parliament maid thairanent.

The samyn day, the sessioun ordanis that all wemen of this burght, of honest reputatioun, quha ar of habilitie to hawe stuillis, sall everie ane of thame hawe stuillis in the kirk, to sitt vpon in tyme of preching and prayeris, conforme to the act of counsall maid thairanent, quhilk thay ordane to be done within fourtie dayes efter the dait heirof; and ordanis intimatioun to be maid herof, and of the remanent statutes aboue wretin from pulpitt, and that the said fourtie dayes being bypast, the haill seattis for wemen afoir the daskis salbe takin away be the maister of kirkwark.

The quhilk day, anent the compleant geven in to the sessioun be Katherine Thornetoun, spous to Willeame Allane, merchand burges of Abirdene, aganis the said Willeame hir husband, mackand mentioun, That quhair it pleasit God that the saidis Willeame and Katherine war lauchtfullie

mareit togidder, be the space of ellevin yeris sensyne bypast, at quhilk tyme the said Willeame faithfullie promeist befoir God and his kirk to do his honest deutie to hir, as becom a faithfull husband to his mareit wyff, and to lowe and intreat hir during hir lyftyme; neuertheles, far by the deutie of a faithfull husband, he hes violat and brockin his said band and promeis (albeit the said Katherine, for hir pairt, hes kepit hir honest deutie to him, and that he gat ane honest tocher with hir, to vit, the soume of aucht hundreth merkis), be sa far as oftymes sensyne, in his raige and furie, he hes abusit hir be many extraordinarie formes of dealing, as be geving hir straickis, baith blude and bla, cutting of hir vesture, burning the same in the fyer, with mony vther oppressiones and cruelties quhilk the said Katherine is eschamed to report. And nochtwithstanding of all this vnnaturall formis of dealing, the said Katherine comportit thairwith, as the toun and gude nychtbouris thairof can testifie, quhilk now, that gryt necessitie and indigence compellis hir to mein hir lamentable caice, for be the space of thir sex yeris and a half bygane he hes abstractit him selff fra keping of honest societie with hir, quhairthrow she and hir bairnis hes levit in grite miserie, and hes contractit sindrie dettis for hir and hir bairnis sustentatioun and hous maill: as also, he hes convertit all his landis, gear, and moyen in sowmes of money in defraud of his said spous, hes put vther men in the richt thairof, hes left his residence heir and hes past to England, as he is presentlie myndit to gang their, and to convoy all his substance and gear thair with him, and to mak sic assignationis thairvpon, quhairbe sche nor hir bairnis sall gett nothing of him. And trew it is, that he hes abstractit him selff fra hir societie, and hes gevin hir nothing thir sex or sevin yeris bygane to sustene hir and hir bairnis, and to pay hir hous maill, bot thriescoir pundis or thairby, and now for plane necessitie sche is habill to perische. Lyk as, now at last, but all fear of God or regaird of his deutie, of meir malice, he hes servit and registrat ane inhibitioun aganis hir, that no persoun sall len or latt hir ony thing on hir creditt, far by hir deserving, vpon wrang narratioun: Desyrand, thairfor, the said Willeam to be decernit to adhear to the said Katherine his spous, and to do his honest deutie to hir, and intertene hir as becummis the faithfull husband his betroithed spous, and to giue hir ane testimoniall and supplicatioun to the judges ordinar of hir bypast behaviour, both for lowsing and sus-

pending the said inhibitioun, and for hir honest alimentar expenssis thir sex yeris bygane, and siclyk in tyme cumming, quhill his adherence vnto hir, as at mair lenth wes contenit in the said complaynt. The said Katherine Thornetoun, complenar, being personallie present, and the said Willeame Allane, hir husband, pairtie complenit vpon, being personallie warnit to this day, for the secund terme, to ansuer to the said complaynt, with certificatioun gif he comperit nocht the sessioun wald proceid with the censures of the kirk aganis him for his contumacie, quha being oftymes callit, and nocht comperand, bot moust contemptuouslie absenting himselff, albeit he wes personallie summondit, as said is, the sessioun, in respect of his contumacie, ordanis the ministers to proceid aganis him with the censures of the kirk, to the sentence of excommunicatioun, and to intimat the same from pulpitt on Sonday nixt, for the first admonitioun.

18th December, 1604.

The quhilk day, efter incalling of God, Maister Andro Clerk, being accusit for his slanderous and irreverent behaviour, vsed be him on Sonday last, towards Mr. Peter Blakburne, ane of the pastures of this burght, immediatlie efter the sermoun afoir none, quhen as Mr. Peter wes geving the last admonitioun to Willeam Allane for his contumacie, in not compering befor the sessioun to answer to the complaint gevin in aganis him be Katherine Thornetoun, his spous, in sa far as the said Maister Andro then stude vp opinlie in presence of the congregatioun, and maid publict oppositioun and contradictioun to the said Mr. Peteris procedingis in the said proces, be taking instrumentis agane the same in the handis of Maister Arthur Watt and George Barroun, notaris. The said Maister Andro Clerk, being personallie present, confessit in presence of the sessioun, that he had maist raschlie and vnadvysedlie maid oppositioun and takin protestatioun againis the said Maister Peteris procedingis in the said proces againis the said William Allane, quhilk, as he protestit befor God, he did of simplicitie, and novayes of contempt, fearing least the said Mr. Peter suld hawe procedit the nixt Sonday aganis the said William with sentence of excommvnicatioun: Alvayes, the said Mr. Andro confessit and acknawledgit, that be this his misbehaviour and informall doing, not onlie had he grevouslie offendit aganis God and his kirk, but also had offendit the said Maister Peter and this haill congregatioun, for quhilk he

wes sorie and penitent from his hart, quhilk he signifeit be brusting furth in tearis: Lykas, in takin of his repentance, he offerit, in all humilitie and submissioun, to amend to God and his kirk, and to the said Mr. Peter and congregatioun, at the appoyntment of the sessioun, submitting him selff to thair judgment thairanent, and promesing to satisfie and obey the same maist willinglie to his vttermaist power, quhatsumeuer thay suld injone. Efter the quhilk, the said Mr. Andro being removit, and the sessioun considdering his said oppositioun and publict contradictioun befoir the haill congregatioun to be a verie greivous offence to God and his kirk, and a gryt sklander to this congregatioun, and ane offence in particular to the said Mr. Peter Blackburne, deserving to be rigorouslie poneist: alvayes inrespect the said Maister Andro is brocht to the acknawledging of his awin offence, and is penitent for the same, lyk as he submittis him selff in the sessiones will thairanent, ordainis the said Mr. Andro to compeir on Sonday nixt, in the new kirk of this burght, and thair, immediatlie efter the ending of the sermone afoir none, in the same place quhair he offendit, to sitt doun on his kneis and to acknawledge and confes his said offence publictlie befoir the haill congregatioun, and to crawe God and his congregatioun pardone and forgiwenes for the same, as also to crave the said Mr. Peter Blackburne, minister, quhome he particularlie offendit, forgiwenes, lykvayes promesing neuer to fall in the lyk gross misbehaviour in tyme cuming.

23d December, 1604.

The quhilk day, Maister Andro Clerk satisfeit and obeyit this day the kirk, be macking publict satisfactioun in presence of the congregatioun for the last offence committit be him, in macking contradictioun to the bischoppis procedingis aganis Willeame Allane, quhilk satisfactioun wes maid be the said Mr. Andro conforme to the ordinance of the sessioun in all poyntis: Lyk as, Maister Arthure Watt, quha wes notar to said Mr. Androis protestationis, confessit lykvayes publictlie his offence, in geving the samen, and cravit pardone thairfor.

The samen day, It was statute and ordanit be the sessioun that na beggaris be sufferit to sitt in the kirkyard in tyme cuming on the Saboth day, bot that they all be compellit to cum in to the sermones, both afoir and

efter none, and navayes permittit to sitt in the kirkyard to beg, in tyme of sermone, as they wer wount to do ofbefoir.

The said day, the sessioun requestis the magistrattis that, inrespect excommvnicat papistis ar ressauit in this towne, and houssis set vnto thame, that ane act be maid be authoritie of the magistrattis and counsall, that na persone within this burgh presume to sett any house to any thir excommvnicat papistis following: tovit, Johne Gordoun of Newtoun, George Gordoun, fear of Gicht, and his ladye, Johne Kennedy of Carmuk, Maister Alexander Settoun, Patrick Mortimer, Michaell Fraser of Techmvrie, Alexander Fraser, his brother, Maister Alexander Leslie of Peill, and Patrick Buttir, nor yit to resaue any of the saidis persone in thair houssis, or keip societie, eating or drinking, with thame in ony tyme cuming, til they be absoluit of thair excommunicatioun, vnder sic panis as the magistrattis and counsall sall think expedient.

21st April, 1605.

Ordanis the collectour to giwe tua merkis to the tua men that expellis the stranger puir, for thair panis for this nixt ulk, and vlklie thairefter tua merkis quhill thay be dischargit.

19th May, 1605.

The samen day, Thomas Kyng wes appoyntit and nominat be the sessioun to attend this day aucht days, at efter none, on the ferrie bott, and thair to nott the persones that passis over the watter to Dunie, and absentis thameselffis fra the sermone at efter none, and ordainis him to giwe vp thair names to the session, that thay may be puneist for thair brak and prophanatioun of the Lordis Saboth.

26th May, 1605.

The said day, anent the complaint gevin in be Elspet Dalgarno, spous to Willeame Low, agains the said Willeame, hir husband, not onlie for debarring hir from his societie be the space of thir sex vlkis bygane, bot also for dinging and hurting her on the face with a gryt key maist crewellie an vnmercifullie on Fryday last, quhairthrow he has almaist dung out ane of hir eyne, to the gryt effusioun of hir blude, as at gryter

lenth wes contenit in hir complaint: The said Willeame, being personallie present, confessit the dinging of his wyff with a key the tyme forsaid, and he being chargit be the magistrattis to find cautioun that he suld not put violent hand nor ding his wyff in tyme cumming, departit out of the sessioun hous maist proudlie and contemptuouslie, vnfund cautioun, quha, being instantlie brocht bak agane be the authoritie of the magistrat, and brocht to the acknawledging of his offence, cravit pardoun most humblie thairfor, and fand instantlie James Mowat cautionar for him, that he suld not ding nor strik his wyff in time cumming, and the said James being present, becom actit cautionar for the said Willeame, to the effect forsaid, and the said Willeame becom actit to relewe his said cautionar, and in the meintyme, till farder ordour be tane, he wes commandit to be put in prison in the stepill.

2d June, 1605.

The quhilk day, efter incalling of God, comperit, in presence of the ministrie and sessioun, Dauid Andersoun, elder, burges of this burght, and delyuerit, reallie and with effect, in thair presence, to Dauid Cargill, maister of Sanct Thomas Hospitall within the same, the soume of fyftie merkis, quhilk the said Dauid Andersoun had in his hands belanging to the bedallis of the said hospitall, and wes mortifeit vnto thame be Patrik Forbes, quhilk soume the said Dauid Cargill ressauit, and dischargit the said Dauid Andersoun, his airis and executouris thairof, for now and ever. Siclyk, Thomas Forbes, elder, delyuerit to the said Dauid Cargill ane aucht merk peice and ane croun of the sone of gold, extending to the soume of threttene merkis sex schillingis aucht penneis, quhilk he fand four or fyve yeris since, and as yit can find no ownar thairof, and, therfor, is ordanit to be laid vpon proffeit with the forsaid soume of fyftie merkis, to the vse and vtilitie of the bedallis of the said hospitall, and the said Dauid Cargill to be chargit thairwith in his comptis.

9th June, 1605.

The quhilk day, efter invocatioun of God, comperit befoir the sessioun James Watsoun, prenteis to James Low, cordoner, quha declarit that for obedience to thair actis maid the last Saboth, quhairby he wes ordanit to gett his parentis consent this day for the mareing of Margrat Man, he had brocht his father heir for that effect, and that the said James Wat-

soun, with his father, and the said Margrat Man, being all personallie present, the said James father plainlie and absolutelie refusit to grant to the said mariage, or to give his consent thairvnto, for dyvers reasones quhilkis he notifeit to the sessioun. In respect of quhais refusall to consent to the said mariage, the sessioun finds the promeis of marriage maid be the said James to the said Margrat to be null in the selff, seing the said James is ane minor, and his prentischip not yit expyrit, and that he culd not mak a lauchfull promeis without his fatheris consent, and thairfoir ordanis the saidis James and Margaret to pay instantlie thair penalties for thair falling in fornicatioun, and to cum to the stuill this day aucht dayes; according to the quhilk thay instantlie payit sex pundis of penaltie to Johne Cochren, collectour, and promeist to mak thair repentance this day aucht dayes.

14th July, 1605.

The samyn day. the session ordanis David Robertsoun, kepar of the kirk, to keip the key of the sessioun hous dur himselff, and to suffer nane hawe acces to the prisoneris in the kirk wolt bot sic as ministeris meatt and drink vnto thame tuyis in the day allanerlie, and commandis the said David that na prisoner be sufferit to cum vp to the sessioun hous to abyd thairin, as he wil be anserabill to the magistrattis and sessioun.

28th July. 1605.

The said day, in respect Gilbert Keyth, quho wes convenit this day, conforme to the former act, for his relaps fornicatioun with Bessie Spence and Jelis Cadenheid, gawe no signes of repentance, bot rather reiosit in his sin, in saying he wes glaid that he wes accusit of a fault committit be him tua yeris since, and gif thay had sperit at him soner he wald hawe tauld thame of tyftie ma faultis; offering onlie to gang to the stuill, bot refusing to pay any pecuniall paine to the puir; and it being replyit be the moderatour, gif he refusit to pay his penaltie, he behovit to gang to the croce; anserit, he wald gang to the croce, bot wald not hawe his heid cowit bot according to his accustumed forme: Thairfor, the sessioun seing no signes of repentance into him, bot plaine contempt, refusing wilfullie to satisfie, conforme to the last act, hes concludit, according to the former act, that the ministeris sall proceid aganis him with the censures of the kirk quhill he giwe obedience.

4th August, 1605.

The said day, anent the delatioun geven in to the sessioun aganis sum young men and young wemen of this citie, for dansing throcht the towne togidder this last vlk, the tyme of the brydellis; the young men being cled in wemennis apparell, quhilk is accompted abhominatioun be the law of God that ony man suld put on wemennis rayment, Deuteronomie 22, vs. 5; and the young wemen for dansing opinlie with thame throw the streittis, with maskis on thair faces, thairby passing the bounds of modestie and schamefastnes, quhilk aucht to be in young wemen, namelie, in a reformed citie: Quhilk mater being referrit to the provinciall assemblie, haldin at this burt in this vlk immediatlie begane, to be judged be thame quhat punischment suld be inflicted vpon suche offendaris in tyme cumming, thay fand, efter reasoning and dew consideratioun thairof, that if any man or woman be convict in the lyk monstruous behaviour in tyme cumming, to vit, ather men dansing in wemennis apparell, or wemen in mennis apparell, or yitt gif wemen be fund dansing publictlie throw the streittis, maskit and disagysit in sic a wantoun and vnchast forme, in cumpanie with men, that the doaris sall pay a pecuniall penaltie to the puir according to the modificatioun of the sessioun, as also mak thair publict repentance on the stuill, for the first fault; and for the secund fault, sall mak thair publict repentance in sack cloth, conforme to the act of the said provinciall assemblie sett doun thairvpon; quhilk act is ordanit to be intimat from pulpitt on Sonday nixt, that nane pretend ignorance thairof in tyme cumming.

Apud Aberden, decimo tertio die mensis Octobris, anno Domino millesimo sexcentesimo quinto.

Folowis the names of the eldaris and deacones of the sessioun of the paroche kirkis of the burgh of Aberdene, nominat and chosin be the sessioun of the yeir preceding, vpon the twentie nynt day of September last bypast, for the yeir to cum, and admittit and inaugurat in the saidis officis *respective*, this xiii of October instant, efter publict censure deullie and lauchfullie preceding, conforme to the order and discipline of the kirk, they all being personallie present and acceptand, and gevand thair aythes, according to the forme, for faithfull administratioun of thair offices for the yeir to cum, except Mr. Thomas Nicolsoun, commissiouner, quho comperit nocht to accept.

Elderis.

Alexander Rutherfurd, prouest.	Maister Gilbert Gray.
Alexander Cullen.	Dauid Andersoun, elder.
Dauid Mengzeis, lait prouestis.	Alexander Jaffray.
Mr. Thomas Nicolsoun, commissioner.	Dauid Cargill.
Mr. Alexander Cullen.	Thomas Kyng.
Mr. Dauid Rutherfurd.	James Mowatt.
Willeame Lowsoun, baillies.	Robert Johnestoun.

Deaconis.

Thomas Douglas.	Peter Maitland.
John Merser.	Gilbert Club.
James Stewart, younger.	Dauid Watsoun.
Robert Stewart.	James Coupar.
Johne Cutberd.	James Brabner.

Ministeris of the Word and Sacramentis.

Mr. Peter Blakburne, bischop.
Mr. James Ross.
Mr. Archibald Blakburne.

Redaris: Mr. Walter Andersoun and Gilbert Lesly.

The said day, anent the bill of sclander gevin in be Margrat Robertsoun, relict of vmquhill Archibald Kyng, aganis Katherine Kanyeaucht, spous of James Galloway, sklettar, complenand on the said Katherine that most vncharitablie of a malitious mynd sche hes sclanderit the said Margrat in calling hir ane common vitche: sche had bevitched the said Katherine and hir hous tua yeris since, quhilk the said Katherine affirmit, and spak opinlie dyvers and sindrie tymes within thir ten or tuelff dayes bygane in the hous of Gilbert Willox and Meatt Kay, in presence of sindrie honest nichtbouris, as at mair lenth wes contenit in hir said bill. The said Katherine being personallie present and denying the said bill, the same wes admittit to the persewaris probatioun quha instantlie producit Meatt Kay, Elspett Reid, and Jonet Baird, witnesses for preving of the said sclander, quha being admittit and sworne in presence of the defender, and being examinit upon the said bill, they verefeit cleirlie the haill poyntis thairoff aganis the said Katherine, testefeing that they hard hir speik and affirme the wordis forsaidis contenit thairin, in calling the said Margrat a witche, sche had bevitched

the said Katherine and hir hous; quhairfoir the said Katherine wes convict of the said sclander, and inrespect sche is a common sklanderer of hir nichtbouris and a common banner and swearer, blaspheming the name of God, the sessioun referris the said Katherine to be censured be the Privie Inquest, and to be judgit be thame if sche be a lauchfull nichtbour or not.

8th December, 1605.

The said day, Thomas Ranald wes convict be the depositiones of dyvers famous witness, for sclandering of Elspet Giffurd, spous of Magnus Tailyeour, coupar, in calling hir ane commoun witche, scho stered his new aill with ane deid mannis harne pan: In respect quhairof, the sessioun ordanis the said Thomas to stand in the joggis on Setterday nixt, at the mercat croce of this burt, be the space of thrie houris, and als to compeir befoir the pulpitt on Sonday nixt, and thair, immediatlie efter the ending of the sermone afoir nvne, to confes his offence in presens of the wholl congregatioun, and crawe the said Elspett pardoun and forgiwenes, confessing he knawis nothing to hir bot that scho is ane honest woman.

29th December, 1605.

The quhilk day, efter incalling of God, Johne Leslie, elder, James Andersoun, youngar, litster, Hew Andersoun, his brother, David Crombie, and James Kempt, baxter, wer delatit to the sessioun to be fosteraris of superstitioun in going throch the towne maskit and dansing with bellis on Yuill day last at night, and thairfor thay wer ordanit to be warnit to compier befoir the sessioun this day aucht days to answer to the said delatioun, with certificatioun.

The samyn day, ordanis to be intimat from pulpitt on Tuysday nixt, that nane gang throch the towne on Newyeiris evin singing any songis, vnder the pane to be callit thairfor befoir the sessioun and punischit for the same as fosteraris of superstitioun.

19th January, 1606.

The quhilk day, efter incalling of God, it wes concludit and ordanit be the sessioun, that na man nor woman in this burght about the superstii-

tious tyme of Yuill or Newyeris day, or ony vther superstitious tyme, sall presume to mask or disagyse thame selffis in ony sort, the men in wemennis claythis, nor the wemen in mennis claythis, nor vtherwayes, be dansing with bellis, ather on the streittis of this burt or in privat houss, in ony tyme cumming; bot expresslie prohibittis and forbiddis all sic superstitious formes of behaviour in tyme cumming, vnder the pane to be puneist in repentance and penaltie at the appoyntment of the sessioun; and this act to be intimat publictlie out of pulpitt. Lyk as instantlie James Andersoun, litster, Jon Leslie, elder, Hew Andersoun, David Crombie, and James Kempt, quha wer delatit of dansing with bellis and masking thame selffis on Yuill day at night last, wes admoneist not to do the lyk in tyme comming, vnder the pane forsaid, and the act aboue writtin wes intimat to thame.

9th March, 1606.

The said day, Alexander Mortimer and John Leslie, youngar, wer delated to the sessioun to hawe abused thame selffis this last weik be extraordinar drinking off aquavytie, and giving occasioun of sklander to this congregatioun be thair drunkinnes; in respect quhairof thay wer ordanit to be warnit to this day aucht dayes, to anser to the said delatioun.

The quhilk day, efter incalling of God, the moderatour having declared to the sessioun as of befoir, that na ordour is tane with the brak and prophanation of the Saboth day, within this burgh, namelie, with these quho hes salmound fischingis, quha, be thameselffis and thair servandis, oppinlie and manifestlie, but controlment, workis and labouris thair salmound fischingis on the Saboth day, and na ordour tane with thame, to the gryt dishonour of God, and sclander of the gospell; heirfor, he inquired of Alexander Rutherfurd, prouest, Alexander Cullen, Maister Dauid Rutherfurd, Maister Alexander Cullen, Willeame Lowsoun, Maister Gilbert Gray, and Dauid Cargill, being all present in the sessioun hous, gif thay wald absteine in tyme cumming, be thame selffis and thair servandis, from working and labouring of thair salmound fischingis on the Saboth day, quha all willinglie agreit and consentit to do the same, except Willeame Lowsoun, quha promest onlie to abstene in his awin persoun, and wald nocht promeis for his servandis; and the sessioun, yit as of befoir, ordanit the haill remanent awnaris and titularis of the salmound fischingis of this

burght, to be warnit to compeir befoir thame on Thurisday next, the first of May, that thay may be particularlie inquired gif they will desist or not from working and fisching of thair watteris on the Saboth day, that thairefter, vpon thair grant or refusall, sum gude ordour may be sett doun for repressing and punisching of the forsaid abuse.

27th April, 1606.

The said day, Robert Keyth of Benholme, and Mr. Thomas Mengzeis, ar ordanit to be warnit to this day aucht dayes, to answer for thair absence from the publict fast and humiliatioun this day.

1st May, 1606.

The quhilk day, efter incalling of God, the awnaris, proprietaris, and titularis of the salmound fischingis of this burgh, being callit vpon as they that wer warnit to this day, to ansuer for thair prophanatioun of the Lordis Saboth, in working and labouring of thair salmound fischingis thairon; comperit the persones subsequent, quha being exhortit be Mr. James Ross, moderatour, to sanctifie the Lordis Saboth, in abstening and desisting from working of thair salmound fischingis on the Saboth day, answerit as folowis, viz., Alexander Jaffray, Andro Burnett, James Donaldsoun, George Andersoun, Patrik Donaldsoun, Alexander Donaldsoun, Thomas Forbes, younger, Martine Howysoun, Maister Andro Clerk, Alexander Andersoun, Alexander Kempt, thay all woluntarlie consentit, agreit, and promeist, for thame selffis and thair servandis, to absteine in tyme cumming from working and fisching of thar salmound fischingis on the Saboth day, except the said Thomas Forbes, quha promeist onlie to absteine in his awin persone, and wald not promeis for his servandis; siclyk, Alexander Rolland promest to abstene from fisching on the Saboth day for this present yeir, allanerlie, till he wer farder advysit.

Johne Ray and Alexander Kay tuke to be advysit, and wald giue no furder answer.

Maister Thomas Mengzeis being exhorted be the moderatour to sanctifie the Lordis Saboth, in abstening from the working of his salmound fischingis thairon, ansuerit, Quhen ane law salbe maid in parliament, or in ane conventioun of estates, prohibiting vniuersallie throw this haill

kingdome ony working of salmond fischingis on the Saboth day, he shall then obey the law, bot till the law be maid vniversallie, be authoritie and consent of the estates, refusit to abstene from working of his fischingis on the Saboth day, alledging it wes lauchfull to him to fische thairon, according to vse and wount past memorie of man, till ane commoun law suld be maid in the contrar; and, farder, that it wes no prophanatioun nor brak of the Saboth to fische thair watteris thairon. Siclyk, Maister Richard Irving, Alexander Cruikschank, elder, Dauid Fergussoun, Walter Mengzeis, Dauid Andersoun, elder, Maister Willeame Andersoun, Robert Gray, and Maister Robert Mar, refusit to desist from working of thair fischingis on the Saboth day, alledging thay may lauchfullie do the same, according to vse and wount, till ane commoun law be maid in the contrar.

11th May, 1606.

The said day, it wes thocht meit and expedient, concludit and ordanit, be vniforme consent of the ministrie and haill sessioun, that the holie communioun shalbe, God willing, ministred four tymes in the yeir within this burgh in tyme cumming, to vit, anes in the quarter, at the begynning thairof, according to the lovable custume of weill reformed congregatiounes. And this act and ordinance to begin and to ressaue executioun in this burghe at Lambes nixt, God willing, and sa furth quarterlie thareftir in all tyme cumming.

25th May, 1606.

The quhilk day, efter incalling of God, the skipperis of Futtie, to vit, Johne Nicolsoun, elder, Johne Nicolsoun, youngar, Gilbert Mayne, Alexander Fuddes, Walter Annand, Andro Craig, and Gilbert Atholl, being convenit befoir the sessioun for na resorting to the sermones on the Saboth day with thair wyffis and equippages, both afoir and efternvne, and, being all present, wer ordanit be the sessioun to convene, in tyme cumming, at the chapell of Futtie, at the secund bell, and then the absentis to be notit; quhilk being done, the skipperis, with thair wyffis and equippages, to cum to the kirk in all diligence, for heiring of the word; and quhasoeuer beis noted absent, the maister and his wyff to pay sex sh. aucht d. *toties quoties* to the support of the puir, and the servand thrie sh. four d., and thir penalties to be exacted of thame alsweill for thair absence fra the catechising as fra the sermones.

1st June, 1606.

The said day, the sessioun findis that the skipperis of Futtie hes not convenit this day, with thair wyffis and equippages, at the chapell of Futtie, at the secund bell, to hawe cum thairfra to the kirk, nor notit the absentis according to the ordinance maid thairanent, thairfor adiudges ilk ane of the skipperis in ane unlaw of sex sh. 8 d. to the puir, conforme to the act.

The said day, Johne Fortrie, Johne Davidsoun, tailyeour, Johne Allane, cultellar, and Johne Allan, buikbindar, wer vnlawit, ilk ane of thame, in fourtie d., to be payed to the puir, for thair passing over the watter to Dunie, on Sonday last, the tyme of the efternvnes sermon.

22d June, 1606.

The quhilk day, efter incalling of God, the sessioun thought meit and expedient, concludit and ordanit, that in respect this burt is threatned with the plaig of pestilence, our nichtbours duelling within the parochin of Straquhyn, within tuelf myllis to this burt, being alreddie visiet thairwith; and in respect of the gryt contempt of the gospell, and all vther kynd of sin that presentlie aboundis in this land; and of the gryt invndatioun of weittis liklie to rott the cornis, gif God in mercy stay not the same, and for mony vtheris causs, there shal be an publict fast and humiliation of all the inhabitantis of this burt this nixt Saboth, and ordanis intimatioun to be maid heirof from pulpitt on Tuysday and Thurisday nixt, and the magistrattis to caus intimat the same be the drum on Setterday. [For some time afterwards almost every Sunday was held as a fast.]

6th July, 1606.

The said day, the sessioun continewis all proceding agains the Laird of Benholme for his fornicatioun with Issobell Vdny, till the prouest and bischoppis returning from the Parliament.

20th July, 1606.

The said day, the sessioun considdering the gryt and manifold abuses quhilk fallis out at the lykis of defunct persones within this burt, and in respect of the dangir may ensew be publict conventioun and meting

of people of all sortis thairat now in this dangerous tyme of the plague. thairfor be advyse of the magistrattis dischargis all keping of lykis in tyme cumming, except allanerlie that it shal be lesum to fyve or sex at the maist of the speciall freyndis of the defunct to be present at the lyk walk, and to be occupeit in praysing God be singing of psalmes and reding sum pairtis of scripture; and this ordinance to be publictlie intimat from pulpitt, that nane pretend ignorance thairof; certefeing sic as shall contravene, they shal be puneist accordinglie, at the appoyntment of the magistrattis and sessioun.

24th August, 1606.

The samen day, Andro Hay, ane of the townis officieris, wes admoneist be the sessioun to keip the ordinar sermones on the Saboth and vlk dayes mair diligentlie and frequentlie than ofbefoir.

31st August, 1606.

The said day, Maister James Ross, minister, in name and at the desire of the parochinaris of Straquhyn, presentlie visied at God's gude plesure with the plague of pestilence, exponit and declared to the sessioun that they had contractit for gryt sowmes, to be gevin to tua men of Dundie quha had tane in hand to clenge thair parochin of the said plague, and that the terme of payment thairof wes approching, and cravit thairfor of the magistrattis and session that they wald bestow of charitie sum help and support to the inhabitantis of the said parochin to help to pay thair clengeris, who had done miekle good sence thair cumming; quhilk desire the session thocht reasonable, and fand that thay aught, according to thair power, help and comfort thair afflicted brether, and thairfor agreit in ane voice to giwe the sowme of fyftie merkis to the comfort and support of the said parochinaris of Straquhyn, to be payed to thame be Thomas Douglas, collectour, quhilk shal be allowit to him in his comptis.

21st September, 1606.

The samen day, Thomas Barnett, cordonar, wes admoneist publictlie be the sessioun for his prophanatioun of the Lordis Saboth this day, in sewing of schone in his buith, and certificatioun wes maid to him gif he suld be noted in the lyk in tyme cumming, he shuld incur the penaltie of fourtie s. to the puir.

12th October, 1606.

The said day, in respect it wes delatit to the sessioun that the ordinar officieris and seriandis of this burt kepis not the sermones, bot drinkis both Saboth day and vlk day in tyme of sermone, to the gryt sclander of the gospell, thairfor it wes devysit and ordanit be the magistrattis and sessioun, that the townis officieris in tyme of sermone, both on the Saboth and vlk dayes, sall stand ilk officier besyd his awin baillie, and not to depart furth of the kirk till the end of the sermone, vnles thay be directit be the prouest or ane of the bailleis; and in cace of their absence fra the sermones without a laufull and reasonable excuse, to pay sex s. aucht d. of penaltie to the puir *toties quoties*.

The samen day, Johne Nicolsoun, elder, in Futtie, wes admoneist publictlie befoir the session for his extraordinarie drinking and drunkinnes laitlie in this vlk immediatlie bygane, quhilk he confessit him selff, and certificatioun wes maid to him in cace he fall in the lyk in tyme cumming that he shall be publictlie puneist thairfor.

The samen day, anent the mutuall complayntis gevin in, *hinc inde*, be Alexander Saidler and Willeame Goldsmyth, tua of the beadmen of Sanct Thomas Hospitall of the burgh, complaining of mutuall jniurie, be word and deid, done ather of thame to the vther, viz., the said Alexander Saidler, for bracking of the said Willeame Goldsmythis heid with ane can, and wounding the said Willeam thairwith, ryving of the hair of his beard, and calling him theiff, and theiffis geitt, and witches geitt; and the said Willeame Goldsymth, for putting violent hand on the said Alexander Saidler, and speking sclanderouslie of honest wemen of the towne at dyvers and sindrie tymes, within this moneth or thairby immediatlie bygane, as at gryter length wes contenit in thair said complayntis; quhilkis being publictlie red in sessioun, and the remanent beadmen, thair brether of the said hospitall, being solemnitlie sworne and examinit vpon bayth thair complayntis, findis, that not onlie thay hawe put violent handis in vtheris, dung and jniurit ather of thame the vther be word and deid, conforme to thair billis, and thairby contravenit the injunctiones of thair fundatioun and admissioun; bot also that the said Willeam Goldsmyth hes spokin sklanderouslie of honest menis wyffis, quhairthrow, maist iustlie, thay hawe meritt deprivatioun; and, thairfor, the magistrattis, ministrie,

and sessioun, be thir presentis, depryvis and deposis the saidis Alexander Saidler and Willeame Goldsmyth fra thair places of the said hospitall, as persones vnvorthie to be sufferit to abyde in the same, and presentlie disturst thame of thair gownis, in significatioun of thair iust and lawfull deprivatioun.

16th November, 1606.

The samen day, anent the bill of sclander gevin in be Jonett Adamsoun, relict of umquhill Patrik Straquhyn, aganis Katherine Kanzeaucht, spouse to James Galloway, skletter, becaus the said Katherine is a commoun flyter and jniurer of hir nichtbouris, and hes bene verie oft hard befoir the sessioun; referris hir to the magistrattis to be put in the joggis for her flyting and evil toung, with certificatioun, gif scho be fund culpable heirefter, to be baneist.

8th March 1607.

The said day, Maister Thomas Mengzeis, Maister Willeame Andersone, and Mr. Robert Paip, wer delated to be keparis of cumpanie in eating and drinking with Mr. Alexander Settoun, excommvnicat papist, and thairfor ar ordanit to be warnit to answer thairanent this day aucht dayes.

The said day, Maister Thomas Mengzeis wes accused be Maister James Ross, moderatour, for not cuming to the holie commvnioun this yeir nor the last yeir immediatlie preceding, quho answerit that he wes absent aff the toune the last yeir the tyme of the ministratioun of the commvnioun, and this yeir he wes seik and diseased the tyme of the ministratioun thairof: it wes replyit be the moderatour, the commvnion wes aucht tymis ministred within thir tua yeris, and that the said Mr. Thomas wes within this towne during sindrie of the dayes, and, at the last commvnioun, he wes, on Setterday immediatlie befoir the commvnioun, walkin on the causey and cam not. Mairover, being inquired gif he wes of the trew religioun, teiched and professed in this cuntrie, quhilk he had subscryvit and sworne to ofbefoir, answerit, he wald obey the kingis lawis. Being replyit to him, that, in a mater of conscience and religioun, he shuld frame his answer, that he shuld obey God and his word, established be his Maiesties lawis, wald give no vther answer. In respect quhairof, the said Mr. Thomas wes cited be the moderatour to compeir befoir

this provinciall assemblie, to be hauldin at this burgh vpon Wednesday nixt, the xi of Marche instant, thair to giwe his answer concerning the accusatioun forsaid.

15th March, 1607.

The samen day, the session findis that James Murdo, baxter, hes sclanderit Isobell Thome, spous to James Mylne, warkman, in saying to hir she wes a witche karline, he shuld gar her feitt be hett, and convictis the said James of the said sklander; and in respect thairof, ordanis the said James to mak hir ane publict amendis and satisfactioun on his kneis, publictlie befoir the pulpitt, in presence of the congregatioun, on ane Saboth day, or then publictlie in the sessioun hous, befoir the ministris and sessioun, in the optioun of the said Isobell Thome, partie sclanderit, be confessing his offence, and craving hir pardoun thairfor, and professing he knawis nothing of hir bot honestie.

19th April, 1607.

The said day, the sessioun fearing throw occasioun of the wear schip off Dunkirk being heir within this herbrie, quhilk depairted furth thairof the fyftene day of Aprill instant, that fornicatioun or adulterie hes bene committed be thame in this burt, quhilk as yit is not reveillit, thairfor it is ordanit that if ony tryell be fund heirefter, or that ony barne be borne, and alledgit to be begottin be ony of the men of wear, the persone or persones, being fund giltie, are decernit to be incarcerat in the kirk wault for the space of aucht dayes, vpon bread and water, and thairefter takin out and doukit at the keyheid.

24th May, 1607.

The quhilk day, the sessioun findis that James Mar, skipper, vpon the xv. day of May, instant, sklanderit Andro Paull, merchand, at his awin buith dur, in calling him ane commoun witche, and cum of witchis, and not worthie to remane in ane civill towne; quhairfor the said James Mar wes convict of the forsaid sklander, and the sessioun continewis the doun-setting of the amends till this day aucht dayes.

7th June, 1607.

The quhilk day, efter incalling of God, the sessioun considdering that

the name of God is heichlie dishonourit in this burgh be oppin blasphemie of his name in banning and swearing on the streittis, and privatlie in houssis, be a gryt numer of persones who hes contractit sic ane habit of banning, that in all thair speiches and conferences, in doing of thair civill effaris, they tak the name of God in vain; for repressing and stansching of the quhilk sin, the sessioun thinkis it meit and expedient that thair be certane captounis nominat and chosin for punesching of the banneris and sweraris, be exacting a pecuniall pain of sic as ar of habilitie to pay, and of vtheris, vnhable in goodis, to caus puneis thair persones, according to the ordinance of counsall, sett doun thairanent of befoir; for quhilk effect, the sessioun instantlie nominat Thomas Kyng, Johne Layng, Gilbert Blak, and George Ricard, captounis for the Castellgett; Johne Nicolsoun and Johne Forbes, litster, for the Burneheid; George Kear and Johne Moresoun, litster, for the Overkirkgett; Maister Willeam Moir and Archibald Beanis, for the Gallowgett Heid.

12th July, 1607.

The said day, inrespect it wes delatit to the sessioun that thair is sindrie landvart gentillmen and vtheris cum to this towne, quha mackis thair residence thairin, and resortis not to the preching, nather on Saboth nor vlk dayes; thairfor, it is ordanit that thrie elderis of everie quarter convene with the ministrie in the sessioun hous, immediatlie efter the ending of the sermone on Tuysday nixt, and thair tak vp the names of the gentillmen and vtheris skipperis duelling in this burgh, quha kepis nocht the kirk, nor resortis not to the hering of Godis word; and thair names being taken vp, ordanis ane off the ministeris, with a baillie, to pas vnto thame and admoneis thame to cum to the preichingis, and keip the kirk, vthervayes to remowe thame aff the towne.

19th July, 1607.

The said day, Elspett Fairlie, relict of umquhill Crippill Davie, tailzeour, is inrollit be the sessioun amangis the decayed hou halderis, to quhame thay grant quarterlie, for hir support, threttene s., four d. The first quarter payment to begin at Lambes nixt to cum.

2d August, 1607.

The quhilk day, efter incalling of God, Agnes Gray, spous to Archibald

Boyd, compering in presence of the magistrattis and sessioun, wes accusit be the moderatour for debarring and stopping the said Archibald, hir husband, at his lait returning from Danskyn to this burt, vpon the penult day of July last by past, to enter within his awin hous, and haulding him violentlie at his awin dur, and navayes suffering him to enter within the same. The said Agnes confessit he wes hauldin at the dur be James Gordoun, sone to the gudeman of Laslie, scho not being within the hous for the tyme, bot affermit and awowit maist peirtlie and impudentlie the same wes done be hir allowance and foirknaulege, lyk as she opinlie awowit he shuld never be a husband to hir, and a blankatt should never cover thame; in respect of quhais impudent and schameles behaviour being also verie sklanderous, the magistrattis and sessioun ordanis the said Agnes to be presentlie committit in ward within the tolbuith of this burt, thairin to remane on bread and watter, ay and quhill sche be put to the tryell of ane inquest of hir nichtbouris gif sche be a laufull nichtbour or not, and ordanis the said James Gordoun to be cited to compeir befoir thame the morne, immediatlie efter the ending of the morning prayeris.

20th September, 1607.

The samyn day, Johne Craig, ane of the beadmen of the hospitall, grantit, in presence of the sessioun, that he had carnall copulation with his wyff at Fastrenisevin last, as also sumtymes sensyne, quhilk the sessioun commandit to be notit for causs moving thame.

18th October, 1607.

Thir persones subsequent ar nominat be the sessioun to pas throw the towne to caus the people resort to the hering of the sermones, &c.

8th November, 1607.

The quhilk day, efter incalling of God, the persones subsequent comperend befoir the sessioun, as thay that wer warnit to this day to the effect efter specifeit, wer demandit be the moderatour seuerallie, as followis, viz., Maister Thomas Mengzeis, baillie, being demandit quhy he com not to the holie commvnioun, nather at this tyme nor yit thir tua yeris bygane, the said Mr. Thomas answerit he had not refusit to commvnicat, and he wald cum thairvnto quhen the rest of the towne com. Being replyit to him be the Moderatour that the haill toun except a verie

few had alreddie commvnicat the thrie Sabothes bypast, he wald giwe no vther answer bot as of befoir, tovit, that he had not refusit, and wald cum quhen the rest of the towne com.

Maister Richard Irvyng, baillie, being inquirit of the moderatour quhy he commvnicat not the tyme of the lait ministratioun of the commvnion thir thrie Sabothes bypast, answerit he wes not in vse to commvnicat bot anis in the yeir, and within the yeir bypast he hes commvnicat; and, being dispossed, suld commvnicat befoir the expyring of the yeir to cum.

3d January, 1608.

The samyn day, be the mediatioun and travellis of the ministris and sessioun, Archibald Boyd is content to tak hame Agnes Gray, his spous, and to adhear vnto hir and intertaine hir in tyme cumming as becummis him, and presentlie reconcelit and choppit handis with hir, in presence of the sessioun, and all bygane faultis and oversichtis bureit and put in oblivioun on ather syd, promising be Goddis grace to keip a good deutie ather of thame to the vther in tyme cumming. Lyk as the said Agnes wes publictlie admonesit be the moderatour in name of the haill sessioun, in thir poyntis following; first, that scho keip the kirk at preiching and prayeris at all occasiones, according to the deutie of ane honest woman; secundlie, that scho refraine hir selff out of vnhonest and vngodlie cumpanie and societe of these quha loves not hir husband, and desyris his hurt or skayth quhais names hir husband will delait to hir in quyetnes: thirdlie, that scho be ane obedient wyff to hir husband, and leive vnder the fear of God, and do hir deutie in humbillnes in all respectis as becummis a loving wyff to hir husband; fourtlie, that scho behave hir selff honestlie in tyme cumming vthervayes nor scho hes done heirtofoir, and to reverence and honour hir husband as becummis hir; quhilk the said Agnes faithfullie promeist to do and obey in all things efter hir power, as God shuld giwe hir the grace, vnder sic pains as the sessioun sall jnioyne.

12th June, 1608.

The said day, ordanis the inhabitantis of Futtie to be poyndit for thair absence this day fra the catechising.

3d July, 1608.

Gilbert Keyth of Achireis being accusit for setting on a fyre on the calsey, within this burght, on Midsymmer Evin and Peter Evin last by past, aganis the lawis of the cuntrie, fostering thairby superstitioun, the said Gilbert confessit the setting on of fyris on the calsey baith the saidis nichtis: Quhairanent the sessioun advysing, and that the said Gilbert is delatit also as a commoun banner and swerar, and blasphemar of Goddis name, and for not cumming to the kirk to the hering of the sermones, ffindis it meit that the opinioun and advyse of the presbiterie be cravit concerning the premiss, and continewis the censuring of the said Gilbert in the meintyme to a new citatioun.

The said day, Maister Thomas Mengzeis, baillie, being accusit for putting on a fyir afoir his yett, on the calsey, on Midsymmer Even last, denyit the putting on of ony fyir, or that he saw ony fyir afoir his yett that night. Being demandit gif thair wes a fyir afoir his yett, and gif he gaue command to put on the same, anserit, thair wes a fyir put on be bairnis, and gef he had gevin cammand to put on the same, he wald hawe biddin be it, and wald giwe no farder ansuer. The sessioun continewis thair censuring of the said Mr. Thomas till thay be farder advysit, and to a new citatioun.

The samen day, Alexander Mortimer being warnit to hawe comperit this day befoir the sessioun to ansuer to the complaint and delatioun gevin in aganis him be the elderis, for iniuring of Maister Johne Makbirnie, minister, vpon the xxviii day of Junii last, in tacking his hatt aff his heid, and stricking him on the face thairwith; and als for putting on a fyir on the calsey befoir his stair, the night forsaid, aganis the lawis of the cuntrie, fostering thairby superstition: The said Alexander being callit and not comperand, the sessioun ordanis the said Alexander to be summoundit be a libellit summounds for the causs aboue writtin, and for all vtheris his sklanderis, and abyding fra the sermones, and the ministris to advyse in the meintyme with the presbytere.

The samen day, Alexander Rutherfurd, prouest, being accusit for having a fyir befoir his yett on Midsymmer Evin, anserit, on his conscience, he knew not of the on putting of it, nather cam any fewall out of his hous to the same of his knawledge.

Thomas Murray being accusit for bigging a fyir on the calsey befoir his stair on the hie streitt, on Midsymmer Evin, the said Thomas purgit him-

selff be his aith, that nather he nor any within his hous biggit a fyir the night forsaid, nor causit the same to be biggit.

Hew Andersoun purgit him selff be his ayth, that he nather biggit, nor causit big, any fyir on Midsymmer Evin last.

Peter Maitland purgit him selff be his ayth, that nather causit he big on any fyir, nor yit wes thair any materiallis nor fewall furneist to the same out of his hous.

Johne Toucht, merchand, being accusit in maner forsaid, deponit, on his conscience, he was not in Aberdene on Midsymmer Evin last, and that sen his hame cumming he hes inquired of his wyff and famelie gif ony fyir wes biggit on be thame on the streitt the night forsaid, bot can find no tryell of the onputting thairof.

Willeame Gordoun, youngar, accusit of the bigging on of a fyir on Peter Evin last wes, on the kingis streit, fornent his chalmer, grantit that thair wes a fyir biggit on be his servand without his knawlege and command, and confessis that he offendit in not casting doun of the same howsone he saw it biggit on.

Maister Willeame Reid purgit him selff be his aith, that he wes not the bigger of the fyir at the Midchyngill, nather causit he big the same, bot delatit a young boy, George Chalmer, sone to James Chalmer, to be the bigger of the fyir at the Midchingill.

Sir Thomas Ker, Thomas Kyng, Robert Hog, and Maister Willeame Chalmer being, all warnit to this day, to anser for bigging on of fyiris befoir thair yettis and houss, on the kingis hie streitt, on Midsymmer Evin and Peter Evin last wes: Becaus it wes verefeit that thay wer not at hame, sum of thame being in Edinburgh, to vit, Sir Thomas Ker and Robert Hog, vtheris being to landwart, to wit, Thomas Kyng and Maister Willeame Chalmer, are continewit till thair hame cumming, and then to be warnit of new, with certificatioun.

7th August, 1608.

The samen day, the ministris and sessioun thinkis it meitt and expedient, statutes and ordanis, that in tyme cumming, na woman fornicatour within this burt shal be sufferit to sitt on the piller of repentance having ony playdis about hir during the haill tyme of hir sitting thairon, bot that hir playdis be takin from hir be the kirk officier or his servand, immediatlie befoir hir vpganging to the piller; and that becaus in tymes past, the

most pairt of wemen that cam to the piller to mak thair publict repentance, satt thairon having thair playdis about thair heid, cumming doun over thair faces the haill tyme of thair sitting on the stuill, so that almaist nane of the congregatioun culd sie thair faces, or knaw quhat thay wer, quhairby thay maid na accompt of thair cumming to the stuill, bot misregardit the same altogidder, and thairby wer maid to persevere in thair harlotrie, not regairding thair publict cumming to the stuill, seing thair faces wer obscurit be thair playdis, as said is: and thairfor, for remeid thairof, the sessioun concludit in maner forsaid.

21st August, 1608.

The quhilk day, efter incalling of God, it being considerit and vnderstand to the ministris and sessioun, that great disordour fallis out on the Saboth and vlk dayes, in tyme of preching and prayeris, at the kirk durris and in the kirk yard, be occasioun that a great numer of beggaris sittis in the kirkyard and at the kirk durris, beggand thairat, and stryves frequentlie about thair almes gevin thame, quhilk breidis not only a tumult amagis thame, bot thay ban and blaspheme the name of God verie bitterlie, to the great greiff of the heraris and sklander of the congregatioun; for remeid quhairof, it is statute and ordanit, that no beggar be sufferit to sit at the kirk durris nor in the kirkyard in ony tyme cumming in tyme of preching or prayeris, bot that thay be expellit and haddin out of the kirkyard the tyme forsaid, except thay cum in to the kirk to the hering of the word; and gif ony be fund repyning to this ordinance, to be put in prisoun in the kirk wolt; and the kirk officier and his servand ar ordanit to caus this act be kepit, and to put the same to scharp executioun, but exceptioun of persones.

11th September, 1608.

The samen day, Gilbert Mayne and Johne Nicolsoun, younger, in Futtie, being delatit and accusit of leading of cornis this day, being the Lordis Saboth, grantit the same, and wer admoneist not to do the lyk in tyme cumming, vnder all hiest payne that the kirk and sessioun may inflict vpon thame.

30th October, 1608.

The fast to continew this weik and Saboth folowing as of befoir, seing

God is drawen nerer to the citie be his visitatioun of the plague, the toun of Torrie beyond the watter being alredie infectit thairwith. [This was the third week of fasting. On the 9th October, the plague was reported to have reached "Stanehyve, Kirktoun of Fetteresso, and Glentoun."]

9th November, 1608.

The quhilk day [Wednesday], the ministris and sessioun convening in the sessioun hous, considdering the fearfull erthquak that wes yisternicht, the aucht of this instant, throughout this haill citie about nyne houris at evin, to be a document that God is angrie aganes the land and aganes this citie in particular for the manifauld sinnis of the people, thairfor appoyntis and ordanis a solemne fast and humiliatioun of all the inhabitantis of this burt to be the morne, quhilk is Thurisday, and the covenant to be renewit be the haill people, both ministris, magistrattis, and commvnitie, with God, be haulding vp of thair handis all publictlie befoir God in his sanctuarie, and promesing be his grace to forbear in tyme cumming from thair sinnis that hes procuret Goddis wraith and anger aganes thame.

13th November, 1608.

The quhilk day, efter incalling of God, Peter, bischop off Aberdene, moderatour, exponit and declarit to the magistrattis and sessioun, that amangis the manyfauld and innumerable sinnis of this citie that procuris Goddis wraith, the sin of bracking and prophaning of the Lordis Saboth, be publict and opin salmond fisching thairon, cheiflie procuris the same, quhilk, howbeit it hes bene from tyme to tyme condampnit and forbiddin be the licht of Goddis word, yit the possessours of the waters, preferring, as apperis, thair greid and avarice to the glorie and wirschip of God, hawe continewit and persistit hitherto in working and fisching of thair watteris on the Saboth day, to the heich dishonour of God, the manifest contempt of his law, and sclander of the gospell; and becaus the visitatioun of the citie drawis neir, God being threatning the same pairtlie be the plague of pestilence, alredie enterit in the toun of Torrie, on the vther syd of the watter, and pairtlie be a fearfull erthquak, quhilk wes vniversallie throughout this citie, and in many pairtis to landwart, on Tuysday last, the aucht

of this instant, about nyn houris at evin, to the great terrour of the people that felt and persaved the same, it becummis the people of all rankis to turne to God, and to leawe thair sinnes, speciallie these publict and rebellious sinnes, quhilk postis on Goddis judgementis aganes ws; and for this effect, be advyse of the magistrattis, he had causit warne to this day the possessouris of the townis watteris to vnderstand and knaw of thame gif thay will willinglie promeas to forbear in tyme cumming all working or labouring of thair salmound fischingis on the Saboth day; and thay being callit, comperit the possessouris efter folowing, quha being inquired be the moderatour gif thay wald sanctifie the Lordis Saboth, and desist, be thame selfis and thair servandis, from working and fisching of thair salmound fischingis thairon in tyme cumming, that God may be honored, and his judgementis, threatned aganis ws for that sin in speciall, amangs many vther sinnis, may be averted, anserit as efter folowis, to wit, the maist pairt comperand, promeist absolutelie to forbear, both be thame selffis and thair servandis, in tyme cumming; vtheris promeist to forbear vpon the conditioun subsequnt, and sum plainlie refuissit anyway to forbear, and sum wer not yit throughlie resolued.

The names of these that hawe promeist absolutelie, for thame selffis and thair servandis, to desist.

Alexander Cullene, prouest, Alexander Rutherfurd, Johne Collisoun, Mr. Alexander Cullen, Willeame Lowsoun, Alexander Jaffray, Thomas Forbes, younger, Alexander Kempt, Mr. Gilbert Gray, Mr. Robert Mar, Mr. Willeame Reid, Patrik Gray, Patrik Donaldsoun, Martine Howisoun. David Cargill, Willeame Gray, George Andersoun, Mr. Andro Clerk. Alexander Holland, Alexander Andersoun.

James Settoun promeist to forbeir from fisching on the Saboth day during his awin will allanerlie, and with conditioun that his nichtbouris fische not on the Saboth.

Dauid Fergussoun promeist to forbear gif his nichtbours will forbear.

Walter Mengzeis anserit he wes not yit resolued.

Names of these quho refusit to forbear thair fisching on the Saboth day.

Maister Thomas Mengzeis, Dauid Andersoun, elder, Mr. Willeame Andersoun.

20th November, 1608.

The samen day, the magistrattis ordanis James Walker, tailycour, to be put in the stepill, thairin to remane quhill thay be farder adwysit, seing he is fund to be a commoun drunkard, nicht walker, carter, and dycer.

The samen day, it is thought expedient that the publict fast and humiliatioun, quhilk wes intermittit the last Sabath be reasone of the multitude of strangeris then being in the towne doing thair effaris at Martemes, shall, Godwilling, begin agane this day aucht dayes, to be intimat out of pulpitt on Tuysday and Thurisday. [The intimation was continued every Sunday, with two exceptions, till the 15th January, 1609.]

28th January, 1609.

The said day, in presence of ane reverend father in God, Peter, bischope of Aberdene, and remanent of the ministrie of Aberdene, Mr. Dauid Rait, principall of the Kingis College of Aberdene, and diuerse vtheris of the ministerie, and alse in presence of the prowest, baillies, and diuerse of the counsall and sessioun of the said burgh, compeirit personallie Gilbert Keyth of Auchyres, and grantit as the treuth is, that quhowbeit he was weill brocht vpe in the religion, yit he hes sklanderouslie behavit himselff in not resorting to the hearing of the word, and vttering diuerse speiches aganis the trew religioun: Nixt, concerning his wyff, he promeissis to adhear vnto hir, and to report a testimoniall of the Presbitrie of Dear thairvpon, betuixt and the first day of Marche nixtocum. Thirdlie, anent his offensive misbehauiour befoir the presbiterie, and sum of the brether thairof in particular, and confessis the same, and is content to vnderly thair censure, and satisfie thame thairanent. Item, as concerning the braking of the kirk wyndois of this burgh, and schutting of the kirk durris, denyis that he did ony sic thing him selff, bot becaus it was done be Johne Leslie, quho wes in his cumpanie, and followit him, he is content to satisfie thairfor as his deid, as the prowest, baillies, and counsall sall injoyne. Item, as concerning the offence and minassing of Dauid Ady, ane of the elderis of the sessioun, and Thomas Douglas, confessis the same; lykwais offeris to satisfie thairfor. Last, as concerning his irreverent behauiour to the magistrattis in thair gild court, in saying he suld croce thame, or then suld caus vtheris croce thame, he confessis the same lykwayes, and thairanent submittis himselff in the judgment of the prowest.

baillies, and counsall. Anent the quhilkis pointis aboue written, the ministrie, magistrattis, and counsall, advysing quhat salbe his satisfactioun for the same, and quhat salbe inioyned to him concerning his guid behauiour in tyme cuming; thay ordane the said Gilbert presentlie to subscryue the Confessioun of Fayth, and to communicat as he salbe requyred, and to be ane ordinar heirar quhair ewer he resortis, and awoid the cumpanie of papistis, and to find cautioun thairupoun. Nixt, they ordane him to adhear to his wyff, and to continew in treating hir as becummis the lowing husband his wyff, and to report a testimoniall of his adherance frome the Presbiterie of Dear, betuixt and the first day of Marche nixtocum. Item, as concerning his offensiue behauiour befoir the presbiterie, and sum of the brether thairof in particular, braking of the kirk wyndois, schutting of the kirk durris, minassing of the elderis, and his irreuerent behauiour to the magistrattis in face of court; ordainis the said Gilbert to compeir the nixt Sabbothe, in the auld kirk of this burgh, and thair immediatlie efter the preching afoirnone, compeir befoir the pulpit, and, in maist humble maner, confes the said former offenssis, and craiff first God, then the ministrie and magistrattis, pardoun and forgiffnes, and promeis newir to do the lyke in tyme cuming, and to find cautioun that he sall not iniure nor offend, be word or deid, any of the ministrie or magistrattis, or ony inhabitant of this burgh, in tyme cuming, vnder the pane of ane hundreth pundis money of this realme, to be payit be him to the deane of gild of this burgh, *toties quoties*. According to the quhilk, James Keyth of Kynnaldie, and Walter Ord, brother germane to the guidmane of Fyndauchtie, is becom cautioneris and souerties, coniunctlie, for the said Gilbert, to the effect and vnder the pane aboue specifeit, and the said Gilbert aetit him to releiwe his saidis cautioneris.

22d January, 1609.

Memorandum, Gilbert Keyth of Auchireis maid his publict amendis this day, in the auld kirk, befoir the pulpitt, in presence of the congregatioun, conforme to the ordinance of the act maid thairanent, the xviij of Januar instant.

7th May, 1609.

The samen day, the sessioun ordanis captours and visitours to be placed be the four bailleis ewerie Saboth at the seuerall pairtis efter specifeit.

ffor noting the names of these that passis out of the towne, fra the sermones, on the Saboth, to wit, Ordanis the Baillie of Futtie Quarter to caus sett a watche at the Blokhous, for noting sic as gois ower at the ferrie bott; the Baillie of the Grene Quarter to sett a watche at the Bowbrig, for noting sic as gois to Ferryhill or to the Brig of Dee; the Baillie of the Crukit Quarter to sett a watche at the Woman Hill; and the Baillie of the Ewin Quarter to sett a watche at the Gallowgett, for noting of sic as pass to Auld Aberdene.

14th May, 1609.

The quhilk day, efter incalling of God, Jaspar Mylne, pyper, was admoneist be the moderatour, in presence of the sessioun, that he play not on his pypis on the Saboth day in tyme cumming, vnder the pane of discharging him of his office quhilk he hes of the towne, to wit, commoun pyper, and discharging him out of the towne, in respect not only he him selff prophanis thairby the Saboth, bot also he is occasioun that many vtheris, baith in this towne and in Torrie, prophanis the Saboth. Sielyk, Willeame Stewart, fidler, wes admoneist that he shuld not play on the Saboth in tyme cumming, nather yit observe his wounted superstitioun, in playing and singing the Sondayes of Maij, in the morning, vnder the pane of discharging him of the towne lykwayes.

2d July, 1609.

The quhilk day, efter incalling of God, Willeame Layng, sone to Johne Layng, burges of this burt, who hes bene absent furth of this realme in forane cuntries thir dywers yeris bygane, being requerit be the moderatour to swear and subscriwe to the articlis of the Christian fayth and religioun presentlie professit within this realm, the said Willeame desyrit the sicht and inspectioun of the heidis quhilk he shuld subscriwe, to the effect he micht be adwysit thairwith; quhilk heidis he is desyrit presentlie cum and ressave from the bischop, and to cum on Thurisday nixt befoir the presbyteric to giwe his anser. [William was at first refractory, but, on the 18th July, he subscribed the Confession of Faith "in presence of the bischop, ministris, and magistrattis."]

13th August, 1609.

The quhilk day, efter incalling of God, the ministris and sessioun con-

siddering that the Saboth day is opinlie and manifestlie prophanit within this burt be the tailyeours, cordonaris, and baxteris, quha be thame selffis, at the least be thair serwandis, workis in thair boothes ewerie Saboth, in the morning, till it be aucht or nyne houris, as gif it wer ane oulk day, to the dishonour of God and sclander of the gospell: Thairfor it is statute and ordanit, that gif ony tailyeour, cordonar, or baxter in this burght, be thame selffis or thair serwandis, shal be tryit or fund working in thair boothes on the Saboth day in tyme cumming, that the persone, maister or serwand, fund doing the same, shal pay ten s. *toties quoties* to the vse of the puir vnforgewin; and the maisteris to be comptabill for thair serwandis, and to be anserabill for thair penaltie, in cace thay brak this present ordinance.

5th October, 1609.

The quhilk day, it is concludit and ordanit be the magistrattis and sessioun, that nane be ressaved out of landwart to be nurisches in this burght, vnles thay produce a testimoniall of the minister of that parochin quhair thay duelt, that thay hawe satisfeit the kirk for thair harlatrie and fornicationes, and this act to be publictlie intimat and to be authoresit be the counsall of this burght.

29th October, 1609.

The quhilk day, efter the incalling of God, the moderator desyrit a nott to be maid that thir persones subsequent comvnicat this day at the Supper of the Lord in the kirkis of this burt, viz. Sir James Balfour and his ladye, the Laird of Delgatie, the Laird of Wardres, Mr. George Settoun, Maister Willeame Andersoun, Maister Robert Paip; and siclyk, the moderator desyrit a not to be maid that thir persones efter folowing comvnicat not at this time, to wit, Franciss and Adame Gordones, sones to the Marquis of Huntly, Maister Arthure Gordoun, thair pedagog, Mr. Thomas Mengzeis, Thomas Mengzeis, his sone, Maister Richard Irwyng, the Laird of Benholme, Alexander Fraser, sone to the gudemane of Techmvrie, James Andersoun, elder, James Andersoun, younger, litsters, Willeame Skene, Thomas Davidsoun, Johne Leslies, elder and younger, Leonard Leslie.

19th November, 1609.

The samyn day, James Dwn grantit that at his being furth of the cuntrie he hard mess, and tuke the sacrament thairat, and wes sworne to the religioun professit be the Paip at the said James being in Rome, and thairfor is injoyned to cum this day aucht dayes, and begin his repentance, in sackeloth, for his apostacie.

24th December, 1609.

The quhilk day, efter incalling of God, anent the bill of sclander gewin in befor the ministrie and sessioun of this burgh, by Issobell Robertsoun, Willeame and Archibald Beanis, hir sones, Issobell Forbes and Johne Moresoun Walker, hir spous, Issobell Craufurd and Andro Inglis, hir spous, Marioric Patersoun and Patrick Kempt, cordonar, hir spous, aganis James Kempt, baxter, mackand mentioun that quhair albeit hitherto, praysit be God, the saidis complenaris, and ilk ane of thame, hawe lewed all thair dayis within this burgh as honest meane folkis, vndefamed or spotted with any blott of dishonestie or notorious cryme, or yit onywayes offensiue or trubilsome to thair nichtbouris, bot lewing quyetlie with thair husbandis in that calling quhair vnto God callit thame, in the feir of God, and vnder the obedience of thair magistrattis and pastouris; neuertheles, it is of weritie, that the said James Kempt, most vncharitablie, aganes the deutie of ane gude Christiane nichtbour, hes sclanderit the saidis Issobel Robertsoun, Issobel Forbes, Issobell Crawfurd, and Mariorie Patersoun, in sic heich degree, and in sic odious maner, that gif it wer trew (as God forbid), thay wer worthie of most cruall and ignominious death: as namelie, vpon the last day of November immediatlie bypast, lait at ewin, the said James Kempt, being in the duelling hous of George Scott, within this burgh, drinking with his companyeounrie, said oppinlie, in audience of all these that wer within the hous, that the saidis four women, complenaris, tua yeris and ane halff sensyne bygane at Lambes, or thairby, convenit together with vther thrie wemen with thame befoir the said Johne Moresones dur, and thair danced in ane pool, having ane eleir glancing plaitt with thame, full, as apperit to the said James, with quhyttingis or sandeillis schyning and glittering thairintill, and ane blak dog besyde thame; and the said James, to mak his sclander the mair manifest, said opinlie, he,

with Willeame Skene and Andro Browne, wer altogidder in Johne Robertsones new hous in the Gallowgett, quhen thay saw the said wemen dansing togidder at the pairt forsaid, betuixt tuelf and ane on the night, and nominat the said four complenaris expresslie be thair names, saying opinlie he suld caus thame get the fyir to try thame; and the said George Scott and his wyff, being then present in the hous, answered and said to the said James, he wald deny these wordis the morne, quha replyit agane to thame, he wald not deny thame, bot shuld come agane the morne, quhen he wer fresche and fasting, and repeatt thame ower agane, and abyd be thame, quha wald say the contrar. Lykas, on the morne thairefter, for keping of his promeis, the said James come earlie in the morning to the said George Scottis hous, and repeated his former sclanderous speitches with greater vehemencie and malice nor he had done the night befor, saying he was suir that nane wald accuis him thairvpon, it was nocht the first tyme that he haid spokin it; and gif any wald accuis him, he wald prewe all that he had spokin be sufficient witnessis, afferming farder that the caus quhy he opned that mater wes in respect the said Archibald Beanes wald not becum cautioun for the said James to his gudemother for fyftie merkis, and for his refusall, he suld caus him giwe the schirreff thrie thousand merkis, and suld caus his mother gett the fyir. And, lykwayes, the said James Kempt, at the time forsaid, said, in the said George Scottis hous, that the said Issobell Robertsoun come in to Patrick Jakkis close sekand ane capone, the said Patrik being then littand Frensche cullouris, and sayed howbeit the said Patrik suld hawe warit all the gear he had on thame, thay wald not tak with the cullour, whairthrow he wes forcit to send thame to Noroway, and sell thame thair in blew, and sayed plainlie that the said Issobell Robertsoun wes the occasioun thairof, and so lang as sho or hir companyeones lewed, nather he nor ony nichtbour of the gett wald thrywe; be the quhilkis sclanderous and malitious speiches, so opinlie and frequentlie spokin, the said Issobell Robertsoun and the vther thrie complenaris, are compted and esteemed manifest and notorious witches, to the perpetuall defamatioun of thame, thair husbandis, and posteritie, yif the mater ly vntryed, desyrand the session to tak tryell and probatioun concerning the premisses: and it being fundin and tryit that the said James hawe spokin and vttered the saidis sclanderous speiches iniustlie and maliciouslie, that he may be punished thairfor

accordinglie, in example of vtheris to commit the lyk in tyme cumming; or vtherwayes, the saidis complenaris being fund to be sic wemen as the said James alledges thame to be, that they may be remitted to the ordinar judge, as at mair lenght wes contenit in the said bill; quhilk, being publictlie red in sessioun, and baith the saidis pairteis being personallie present, the said James Kempt denyit the sclandering of ony wemen in particular be thair names, bot grantit that he saw sex wemen convenit togidder out of sindrie houssis in the Gallowgett, tyme and place forsaid, bot knew nocht thair names: in respect of quhais denyall, that he expressed ony wemennis names in particular, the saidis complenaris bill wes admittit to thair probatioun, quha, for prowing thairof, hawing producit dywers famous wittnessis, admittit be the said James Kemptis awin consent, and sworne solempnitlie the great aith, in his presence, and thay being diligentlie examined on the said bill, and the ministrie and sessioun being ryplie aduysit with thair depositiones, findis it sufficientlie werefeit and prowin, that the said James Kempt not onlie hes most iniustlie and maliciouslie sclandered the saidis Issobell Robertsoun, Issobell Forbes, Issobell Crawfurd, and Mariorie Patersoun, be expreming of thair names in particular, in the said George Scottis hous, both at ewin and in the morning, in saying that thay wer convenit togidder, dansing befoir the said Johne Moresones dur, the tyme aboue specifeit, in maner contenit in the said bill, and in saying that the said Issobell Robertsoun come into Patrik Jackis close, sekand ane capone, the said Patrik being then litting Frenshe cullouris, quhilkis, throw her occasioun, wald not tak with the litt, whairthrow the said Patrik wes forcit to send thame to Noroway, and send thame in blew; bot also findis be the voluntar confessioun of the persones subsequent gewin, be vertew of thair gryt aithe, befoir the sessioun and in presence of the said James Kempt, towit, Issobell Cheyne, ane damesell now serwand to James Settoun, and then being serwand to the said Archibald Beanes, and of Jonet Tailyeour, serwand to Archibald Mair, Issobell Thomsoun, spous to , and Bessie Andersoun, spous to Johne Blak, that it wes thay and vmquhile Issobell Stewart, that convenit togidder at the tyme forsaid afoir Johne Moresones dur, thay hawing bene furth altogedder that night at the Tug fisching with Willeame Thomsoun, cordonar, and at thair incumming to the toune, thay convenit befoir the said Johne Moresones dur, and pairted thair hearine and fisches quhilk

thay had gottin at thair Tug fisching, and past thair tyme thair a litle quhyll, and thairefter past hame ilk ane to thair awin houssis, thair being ane litill blak dog with thame, quhilk followit the said Issobell Cheyne in to the said Archibald Beanes hous; and, thairfor, in respect of the depositiones of the saidis witnessis cleirlie prowing that the said James Kempt expressit the saidis complenaris names in particular, as is aboue specifeit, and of the vther circumstance aboue mentioned, of the confessioun of the vther wemen gewin be vertew of thair greit aithes in the said James Kemptis awin presence, that it wes thay that past thair tyme befoir the said Johne Moresones dur, the night aboue specefeit, vpon occasioun of thair being at the Tug fisching, and dewyding and pairting of thair fisches, the sessioun convictis the said James Kempt to mak ane publict amendis and for satisfactioun of the pairtis sclanderit, and away tacking of the scandall; ordainis the said James Kempt to mak ane public amendis and satisfactioun, in maner subsequent: towit, ordainis him to sitt in sack cloth on the piller of repentance tua seuerall Sondayes, the ane Sonday in the new kirk, and the vther in the auld kirk, during the haill tyme of the sermones befoir noone, and how soone the sermones ar endit, to cum down in sack cloth befoir the pulpitt, bair futted, and thair, in all humilitie, sitt down on his kneis in presence of the haill congregatioun, and thair confes (as the treuth is) that he hes most iniustlie and maliciouslie sclandered the saidis persones, and ask first God, and nixt the congregatioun, with the haill pairties sclandered, pardoun and forgiweness, and to say *Fals toung he leid*, with certificatioun to the said James, gif he refuis to obey this decreit, to proceid aganis him with the censures of the kirk, till he giwe obedience, and with certificatioun to him, that gif he vtter ony sic sclanderous speiches heirefter, that he salbe baneist this burgh.

13th May, 1610.

The samen day, ordanis the soume of ten punds to be gewin be the collectour to Meatt Cullen, dochter to vmquhill Walter Cullen, redar, for the said Walteres bookes of baptisme, mariage, and buriall, delyuerit be hir to the bishop, to be furth cummand to the vse of the town.

20th May, 1610.

The samen day, ordanis tua merkis to be gewin to the support of

the lipper woman laitlie put in the lipper hous, becaus she will not gett ony of the rent of the said hous till Martemes nixt.

8th July, 1610.

The samen day. ordanis the soume of tuentie punds to be debursit be the collectour to the support of Constantine Achilles, a Grecian gentillman, persecute be the Turkis for his professioun of the faith of Chryst, in respect he wes recommendit be the Counsall of Scotland; and, becaus the collectour is superexpendit, ordanis him to vplift the said soume on profit.

12th August, 1610.

The quhilk day, efter incalling of God, the ministris and sessioun, considdering that the hand of God is presentlie on the citie, be his visitatioun of the young childrene with the plage of the pocks, quhairof many childrene ar alredie deceassed, and many ar presentlie hewilie diseased vnder Gods hand; as also, in respect of thir continewall weittis, quhilk gif thay be not remowit and takin away in the mercie of God, apperandlie the cornis on the ground wil be in great danger of rotting, and consequentlie darth and famine ensew; and heirwith considdering that the caus of thir visitationes is the sinnes of the land, and of this citie in particular, daylie incressing, to the offence and dishonour of God, thairfor thought meit and expedient, dewysit and concludit, that thair sal be a publict fast and humiliatioun of all the inhabitantis of this burt this day aucht dayes, quhilk is the nixt Saboth, that God may be mett with teares and repentance for our manifauld sinnis; and ordanis intimation to be maid heirof to the people, both out of pulpitt on Tuysday and Thurisday nixt, as also be the drum passand throu the toun on Setterday, according to the wounted forme obserwit in the lyk cace.

19th August, 1610.

The samen day, the sessioun findis that Mariorie Marns, spous to Alexander Moir, wobster, hes werie maliciouslie sklanderit and injurit Margrat Measoun, relict of vmquhile William Mitchell, officier, in saying sho suld prowe the said Margrat to be ane witche, and for spitting thryis in her face, and casting fyir, and, thairfoir, conwictis the

said Mariorie for the sclander and jniurie forsaid: and, for tacking away and satsfeing of the sclander, ordanis the said Mariorie to mak a publict satisfactioun and amendis on hir kneis befoir the pulpitt, in presens of the haill congregatioun, in crawing God and the said Margrat, quhome scho hes offendit, pardoun and forgivenes, and saying opinlie in presens of the people, *Fals toung scho leid.*

The samen day, the sessioun findis fault that the psalme is not sung ordinarlie befoir and efter the morning prayeris on the Sabboth day as wes wount to be done of befoir; and thairfoir ordanis the master of the sang school to tak vp the psalme ewerie Saboth in the morning, both befoir and efter the prayeris in tyme cuming, according to auld vse and wount; and ordanis the kirk officier to intimat this ordinance to James Sanderis, present maister of the musick schooll, and to charge him to giwe obedience to the same.

28th October, 1610.

The said day, Thomas Gordoun, tailyeour, wes admoneist and chargit be the magistratt to enter in serwice betuixt and this day aucht dayes, or then to remowe himselff aff the toun.

To remember at the next meting of the justices of peace, that it be proponit to thame how the Brig of Done and the Brig of Gowill salbe repairit.

The provisioun of the townes ministeris, to wit, Mr. James Ross' provisioun is fywe hundreth merkis, payit to him be the towne; Maister Archibald Blackburnes provisioun is thrie hundreth pundis, out of the Bischoprick of Aberdene, and ane hundreth merkis payit to him be the toune, with thair coillis payit and furnischit to thame be the towne.

4th August, 1611.

The quhilk day, anent the greiff gewin in be the elderis at the visitatioun of this kirk on Thursday last, the first of August instant, complaining that the sacrament of baptisme is not ministred to thair childrene at all occasiounes quhen the same is requyred, to the quhilk

greiff it was then answered be the bischop and Mr. Archibald Blackburne, tua of the ordinar ministeris of this burgh, that thair is ane act of the sessioun standing, whairby thay ar ordanit to baptize onlie on preiching dayes, in tyme of preching, vnles the barne be tryit be the medwyff to be weak; and, vnto the tyme that that act be alterit and dissoluit be ane vther act of the sessioun, they ar bund to obey the same. Quhilk mater, in respect it dependeth vpone ane act of the sessioun of this burgh, and that thair wes bot a few numer of the elderis then present at the said visitatioun, wes referrit and continewit to this day, that a moir frequent numer of the elderis wer convenit; and that the said act of sessioun wer producit, to be then resoluit and deliberat in a moir frequent assemblie of the elderis and deaconis quhither the same suld be dissoluit or nocht. The bischope and ministrie being convenit this day, with the most pairt of the elderis and deacones of the sessioun, and the booke quhairin the said act is contenit, being producit befoir thame, thay causit reid the said act, quhairof the tenour followis: The sext day of May, 1599, it is statute and ordanit that no bairnis be baptezit heirefter bot in the preching dayes in tyme of preiching, without the barne be tryit be the minister and medwyff to be weak: and that the bairnis be presented to baptisme be the father of the barne, or vtheris in his name, on the preiching day immediatlie efter the birth therof, vnder the pane of fywe pundis, to be payit befor the baptisme. Efter the reiding of the quhilk act, the mater being reasoned and disputed at lenght, *pro et contra*, quhither the said act shuld stand or quhither the same suld be dissoluit and dischargit, and the sacrament of baptisme ministred to the infantis lauchfullie begottin in mariage at sic tyme as the same suld be required to be ministred vnto thame. In end, efter long reasoning and disputatioun, be mature deliberatioun, the sessioun for the most pairt ffand, wotit, and concludit that the sacrament of baptisme aucht to be ministred to bairnis, lauchfullie gottin in mariage, at all occasiones quhen the same is required be thair parentis, or ony vther in thair names, and that the ordinar ministeris of this burgh suld be redie at all occasiones to do the same, as they are requyred; and thairfor thay presentlie dissoluit and dischargit the act aboue written, berand ony limitatioun of tyme to the ministratioun of the said sacrament, nochtwithstanding of the argumentis and reasones proponit in the contrar; and statute and ordanit that in all tyme cumming the sacrament of baptisme salbe

ministred to bairnis, lauchfullie procreat in mariage, at all occasiones quhensoeuer the same salbe required to be ministred vnto thame be the parent or freynd of the barne, alsweill in tyme of prayeris as in tyme of preiching, and at vther tymes, as the necessitie and weaknes of the barne sall require.

11th August, 1611.

The samen day, the baillies ar desyrit be the ministris and sessioun to tak painis in ganging throw the towne on the ordinar preiching dayes in the weik, als weill as on the Saboth day, to caus the people resort to the sermones; and Paull Mengzeis, baillie, is appoynted to begin on Tuysday and Thurisday.

18th August, 1611.

The said day, David Ronaldsoun is ordanit to disburs threttie sex s., for bying of a new psalme buik, to Mr. Richard Ross, redar in the auld kirk, quhilk psalme booke the said Mr. Richard is ordanit to mak furth cummand to the towne, with the new bybill quhilk is bocht to him be the townis counsall, for serving of the kirk in tyme cumming, as bookes bocht be the towne for that effect.

22d September, 1611.

The quhilk day, efter incalling of God, Peter Sewan wes convict of his awin grant and confescioun for the vnmercifull dinging of his wyff, and hurting hir on the left ey, this weik immediatlie bypast, and for saying in presence of the sessioun that it behowit him to brak hir arme becaus sho puttis violent hands on him, and the sessioun desyris the magistrattis and counsall to put ordour to the said Peter, becaus he is ane ewill exampill to the towne, and hes bene oftymes admoneist heirtofoir be the ministeris to desist from dinging of his wyff, and yit forbearis not, notwithstanding of thair admonitioun.

5th January, 1612.

The samen day, in respect of the superstitious observing of New Yeris Evin, by singing of idolatrous songs throu all the pairtis of this burt, tending to the dishonour of God, and sclander of the gospell: Thairfor, the magistrattis, ministris, and sessioun, statutes and ordainis, that quha-

soeuer beis deprehendit or notit singing New Yeris songs on New Yeris Ewin in ony tyme cumming, that they shal be takin and apprehendit be the magistrat and put in prisoun till thay satisfie at the appoyntment of the sessioun, and ordainis intimatioun to be maid heirof be the handbell throu the haill streittis of this burt, ane day or tua befoir New Yeris Day nixt to cum, with this certificatioun to sic of the nightbouris of this burgh, as shall giwe ony meatt or drink to these sangsteris or lat thame within thair houss, that thay sall pay fywe punds of penaltie to the vse of the poore, *toties quoties*, vnforgewin.

8th March, 1612.

The samyn day, Jonett Strathauchyn, spous of Patrik Watter, wes conwict for the blaspheming of the blessed name of God, and misvsing shamefullie of the said Patrik Wattir, hir husband, on Fryday at ewin last, in the kirk, be banning him, and vsing bitter execrationes aganis him, in presence of Mr James Ross, minister; as also in her awin hous, for preasing to hawe struck hir husband, and for taking his sword in hir hand, bosting him thairwith, as wes cleirlie verefeit be the said Mr. James Ross and Mr. Richard Ross, redar; in respect quhairof, the magistrattis and sessioun ordanis to put the said Jonett in the joggis on ane mercatt day, thairin to stand for the space of tua hours, and then to be carted throu the towne, and a croun of paper put on hir heid, with ane inscriptioun writtin on the same, bering the caus quhy sho is carted; and, in the meintyme, ordanis hir to be put in prisoun in the kirk volt, thairin to remane quhill the forsaid ordinance be put to executioun aganis the said Jonet.

24th May, 1612.

The quhilk day, efter incalling on God, Robert Hunter and James Hay, beadmen, wer admoneist be the sessioun to keip better ordour in tyme cuming, and to desist from thair drunkinnes, vnder the pane to be depryuit out of the beadhous.

7th June, 1612.

The samen day, the bischop, ministrie, and sessioun, for sindrie weychtie and greit caussis moweing thame, and namelie, in respect of the evident documentis of Goddis wrath aganes the land, be the extraordinarie

drouth quhilk is liklie to burne vp and destroy the cornis and fruiettis of the ground, except God, of his vndeserved mercie, send lecking schoweris to water the ground, hes appoynted a publict fast and humiliatioun of all the inhabitantis of this burgh, to be and begin this day aucht dayes, and to continew thairefter as shalbe thought expedient be the sessioun, and intimatioun to be maid heirof out of the pulpitt on Tuysday and Thurisday nixt, and on Setterday, be the drum, according to the wounted ordour.

24th February, 1613.

The said day, anent the overtures proponit for support and help of the poore within this burghe, quha incresssis daylie be reasone of the present great darth of victuall, it is thought metest be the sessioun, that a voluntar contributioun be crawit of the towne to the effect forsaid, quhilk overture is ordanit to be proponit to the consall the nixt consall day, that thay may advyse thairon, gif the same be expedient or nocht, or gif they will find out ony better overture for the vse forsaid.

20th June, 1613.

The quhilk day, efter incalling of God, anent the bill gewin in to the bischop, ministeris, and elderis of the sessioun, be George Jacksoun, aganes Issobell Quhytcorse, his spous, and Willeame Robertsoune, litster, now hir pretendit husband, makand mentioun that quhan the said George being lauchfullie mareit with the said Issobell Quytcorse, quha sen the tyme of thair mariage, and befoir the said George passing furth of Scotland, having borne sindrie bairnis to him, the said Issobell nocht obstant thairof, forgetfull of hir deutie to God, and to the said George hir lauchfull mariet husband, hes schamefullie abusit hir selff, be conioyning hir in a secund pretendit mariage with the said Willeame Robertsoun, and geving the vse of hir bodie to him, and keping cumpanie and societie with him at bed and buird, at all occasiones thir tua yeris bygane; desyrand thairfor, that the said Issobell may be publictlie and ordourlie decernit to adhear to the said George Jacksoun, hir lauchfull mariet husband, and to keip societie and cumpanie with him in tyme cumming, according to the law of God, sa lang as thay leiwe togidder, as at mair lenght wes contenit in the said bill. The said George Jacksoun, complenar, being personallie present, and the said Issobell Quhytcorse being

lauchtfullie warnit to this day, and als to the tua sessioun dayes immediatlie bygane, oftymes callit, and not comperand, and the said Willeam Robertsoun, being personallie present, alledgit that no fault nor cryme shuld be impute to him for mareing of the said Issobell, in respect he wes ordourlie mareit with her be ane of the ministeris of this burgh, efter publict proclamatioun of thair bandis thrie seuerall Sondayes, in baith the kirkis of this burgh, and vsing of all vther solemnitie according to the ordour prescryvit be the kirk, as lykwayes the ministrie having ressaued testimonie vpon the death of the said George Jacksoun; and now, seing the said George is yit onlywe, the said Willeame is content to obey the ordinance of the bischop and sessioun, sic as thay shall injoyne him to do, concerning the premisses; Quhairanent the bischop, ministrie, and elderis of the sessioun, advysing and considdering that the said Issobell hir secund mariage with the said Wileame Robertsoun procedit vpon the productioun of a fals testimoniall direct to thame out of Holland, testifeing the said George Jacksoun to haue bene depairtit this lyff in the gaisthous of Dort; the contrar being trew, he being yet on lywe heir personallie present: Thairfor thay decerne and ordane the said Issobell Quhytcorse to adhear to the said George Jacksoun, hir first husband, and to cohabitt and keep societie with him in tyme cuming, as with her lauchfull mareit husband. And ordanes to proceid aganes hir with the censures of the kirk, till scho giwe adherence. And lykwayes thay decerne and ordane the said Willeame Robertsoun, hir last husband, to desist and ceas from keping any farder societie and cumpanie with the said Issobell in ony tyme cuming: With certificatioun to him, gif he do in the contrar, he shall be callit and persewit as ane adulterar, and puneist thairfor, conforme to the ordour and discipline of the kirk, inrespect his mariage with the said Issobell hes nocht bene lauchtfull, her first husband being yet onlywe.

The said day, Johne Merser, in name of Mr. Robert Merser, minister at Ellen, his brother, ane of the executors of vmquhill Mr. Johne Johnestoun, deliuerit to the prouest and bailleis ane new bybill, of Andro Hartis print, left to the towne be the said vmquhill Mr. Johne Johnestoun in his letter will and testament: quhilk bybill the prouest and bailleis ordanis to be keipit in the townis counsalhouse, to

the vse of the kirk, seing baith the kirks ar alredie servit with tua bybillis of the same print. And, in respect of thair resett of the said bybill fra the said Johne Merser, in name of his brother, thay exoner and discharge the said Mr Robert Merser, and the remanent of the said vmquhile Mr. Johne his executors, thairof simpliciter and for ever.

29th August, 1613.

The samen day, Violett Cadenhead, spous to Willeam Walker in Futtie, wes convict for sclandering of Annabell Cadenhead, her sister. spous to Thomas Atholl, quhytfischer thair, in calling her ane manifest witche, sche had rostit Alexander Dauidsones picture in hir hous a moneth, quhairof he depairtit this lyff; and for alledging dyvers vtheris poyntis of witchecraft aganes hir: For the quhilk sclander, the sessioun ordanes the said Violett to compeir on Sonday next in the new kirk; and immediatlie efter the ending of the foirnones sermone, compeir befoir the pulpitt, sitt doun thair on hir kneis, and craue God pardoun for the said sclander, and the said Annabell, her sister, pairtie offendit, and say opinlie, *Fals toung sho leid;* and promeis neuer to do the lyke in tyme cuming. And thairwith ordanes the said Violett to pay the penaltie of ten pundis to the vse of the poore, quhairof sho payed instantlie fywe pundis, in pairt of payment thairof.

7th August, 1614.

The said day, the sessioun findis that Jeane Hervie, spous to Andro Willeamsoun, younger, hes sufficientlie verefeit and provin that Elspett Young, spous to Gilbert Stevin, hes sklanderit the said Johne, in saying that the said Jeane had foirspokin hir kow, and that sho had not gevin ony milk sensyne; and thairfor the said Elspett is convict of the said sklander, and is ordanit to mak ane publict amendis thairfor to the said Jeane and hir husband, be sitting doun presentlie on hir kneis, in presence of the sessioun, confes hir wrang, and to crawe first God, and then the said Jeane and hir husband, pardone for the same, and promeis never to do the lyk in tyme cumming; quhilk ordinance the said Elspet instantlie obeyit, be craving God, the pairtie offendit, and hir husband pardoun; and also, the said Elspett, is ordainit to pay fourtie s. of penaltie to the vse of the poore, quhilk scho promeist to pay this day aucht dayes; and baith the pairties ar publictlie admoneist and injoyned be the sessioun

that gif ather of thame offend and sklander the vther in tyme cuming, that the partie convict thairof sall pay tuentie merkis of vnlaw to the vse of the poore, vnforgevin.

12th February, 1615.

The quhilk day, the Bischop, with aduyse of the magistrattis, ministris, eldaris, and deacones of the sessioun, for sindrie weghtie caussis, and namelie, in respect of this present vncouth storme of frost and snaw, quhilk hes continewit sa lang that the bestiall ar dieing thik fauld, appointis ane publict fast and humiliatioun to be within this burgh, of all the inhabitantis thairof, this day fiftene days, to be intimat out of pulpitt the nixt Saboth, that the peopill may prepair thame selffis for the said humiliatioun.

12th March, 1615.

The said day, Peter, bischop of Aberdeine, moderatour, exponit and declairit to the sessioun, that he had ressauit ane letter from the Archbischop of Sainctandrous, schawing that in ane lait conventioun of the kirk, hauldin at Edinburgh, ane publict fast and humiliatioun is appoyntit to be throuout this haill kingdome, vpoun the last Sonday of Marche instant, and first Sonday of April nixt thairefter, and that for the moir solemne keiping of the said fast, publict preiching is appoyntit to be within burrow townes ewrie day in the weik betuixt the saidis twa Sondayes, for many weghtie caussis moving the kirk thairto, and amongis the rest be reasone of the great number of Jesuites and seminarie preistis come within this yll, and dispersit throw all the corneris thairof, preassing be all meanis possibill to subvert the trew religioun establischit within this ile, and tending to the indangering of his Majesties persone and estait, and lykwayes that his Majestie had send directioun that the holie communioun sould be celebrat throw out this haill kingdome, the nynt of April nixt, for discoverie of the recusantis; quhairfoir, the magistrattis and sessioun ordanis publict intimatioun to be maid, boith of the ane and vther, frome pulpitt on Sonday next, that the pepill may be the better prepairit thairto.

16th April, 1615.

The quhilk day, efter incalling of God, thir personis eftir following, wer

delatit be the eldaris that thay had nocht communicat the last Saboth conforme to his Maiesties charge and proclamatioun maid thairanent, and publict intimatioun maid thairof out of pulpit: viz., Mr. Alexander Irving, sone to Mr. Richard Irving, Mariorie Mengzes, his spous, Thomas Mengzes, sone to Mr. Thomas Mengzes of Balgonye, Thomas Layng, sone to Johne Layng, and Jeane Andersone, dochter to Maister Willeame Andersone.

28th January, 1616.

Memorandum, the sentence of excommvnicatioun wes pronuncit this day be Mr. Archibald Blakburne in the auld kirk, and be Mr. James Ross in the new kirk of this burgh, aganes Mr. Alexander Irvyng, Thomas Mengzeis, Willeame and Thomas Layngis, for not suearing and subscryving the articles of the christian fayth and religioun presentlie professit and establisched within this realme.

4th February, 1616.

The said day, Agnes Herwy, spous to Johne Bruissone, cordoner, is convict for sclandering of Agnes Herwy, spous to Johne Kintoir, cordoner, in saying scho had perischit and smoirit in hir drunkines hir awin young bairne. [Sentenced to crave pardon on her knees before the sessioun.]

18th February, 1616.

The said day, it is statute and ordanit be the magistrattis, ministris, and sessioun, that na begger be sufferit to stand in tyme cumming at the kirk doir besyid the tass, nor yit within any pairt of the kirk yard in tyme of sermon on the Saboth or weik dayes in any tyme cumming, and that the kirk officiar give attendance, and caus this ordinannce be keipit.

10th March, 1616.

The samen day, the magistrattis and sessioun ordanit intimatioun to be maid out of pulpitt, that na beggeris get any almes within this burgh, except sic as bearis the townis taikine; and intimatioun to be maid also heirof be the drum, that the towne may be purgeit of extranear beggeris, and that the townis awin puir may be the better helpit and susteanit.

17th March, 1616.

The samen day, the magistrattis and sessioun ordanis twa s. out of ewrie tass to be gewin ewrie Saboth to Johne Barclay, ringer of the kirk bellis, for his fie in ringing thairof, and na mair to be tackin be him out of anye the tasses, vnder the pane of deprivatioun of him from his office.

16th June, 1616.

No sessioun was keipit this day, becaus of the buriall of Peter, Bischop of Abirdene, quha depairtit this lyiff the fourtene of Junii instant.

11th August, 1616.

The samen day, in respect the general assemblie of the ministris of this realme is appoyntit to begin and hauld at this burt vpoun Tuysday nixt, the threttene of August instant, ordanes the kirk officier to prepair and hawe in redines a buird, to be sett in the new kirk, in the bodie thairof afoir the degries, with ane vther lang buird to descend thairfra towards the loft, with cheares and formes convenient for the same, to serve for the nobilitie, bishoppis, ministris, barones, and commissionaris of burrowes, quho sal be present at the said Assemblie; and to gett grene buird claythis and queschines for serving of the saids buirds and cheares in decent and cumlie forme as apperteanes.

20th October, 1616.

Item, That young bairnis, quha ar not at the schoole, and ar not of sic aige and dispositioun as thay can tak thame selffis to ane seatt quhen thay cum to the kirk, bot vaig throw the same heir and thear in tyme of sermone, and mak perturbatioun and disordour, be not sufferit to cum to the kirk in tyme of sermone, bot kepit at hame, for eschewing of clamour and disorder in the kirk.

Item, It is ordanit that nane within this congregatioun bring in with thame to the kirk ony messanes or doggis in tyme of sermone, ather on the Saboth and [or] weke dayes, vnder the pane of four s., to be payit be quhatsoeuer persone contravenand, *toties quoties*, to the vse of the poore.

3d November, 1616.

On Tuysday, the twentie-nynt day of October, the yeir of God j, m. sex hundreth and sextene yeiris, the haill congregatioun being assemblit within the auld kirk of this burgh, efter sermone maid be Maister George Hay, persone of Turreff, the said Mr. George and Mr. Johne Straquhan, persone of Kincardin, conforme to the power and commissioun gevin to thame be Act of the lait Generall Assemblie, hauldin at this burgh in August last, admittit and resaued Mr. Willeame Forbes, minister at Monymusk, ane of the ordinar ministeris of this burgh during all the dayes of his lyftyme, with full and vniforme consent and applause of the haill congregatioun, and with earnest prayeris to God for a blessing on his travellis, and with all vther solemnitie requisitt, efter the forme and tenour of the said Act of the Generall Assemblie, quhairof the tenour followis:—In the Generall Assemblie of the Kirk of Scotland, hauldin at Aberdene the threttene day of August, the yeir of God ane thousand sex hundreth and sextie yeiris, anent that heid contenit in the Kingis Maiesties articles, direct fra his hienes to the Generall Assemblie, willing that the principall burrow townes of this realme suld be planted with sufficient pastouris and ministeris of gude literature and conversatioun, and in speciall that ane cair be had of the planting of ane qualefeit and sufficient minister in the towne of Aberdene. The Generall Assemblie havand consideratioun of the great necessitie thairof be thir presenttis, nominattis, appoyntis, electis, and chusis thair brothir, Maister Willeame Forbes, minister at Monymusk, to the ministrie of the kirk of Aberdene, and to that effect transportis the said Maister Willeame from the said kirk of Monymusk and ministrie thairof to the effect he may be planted and appoynted minister at the said kirk of Aberdene; and for the better performing heirof, the said Assemblie geves and grauntes thair power and commissioun to thair louit brethrene, Mr. Johne Straquhyne, minister at Kincardin Oneill, and Mr. George Hay, minister at Turreff, to convene with all possibill diligence at Aberdene, and thair to place and appoynt the said Mr. Willeame Forbes ane of the actuall ministeris of the said burgh of Aberdene, and to ressaue and posses him in the office of the ministrie thairat, with all forms and solemnities requisite in sic caces to be sustenet, and his stipend payit to him for his service at the said kirk, and induring the same be the prouest, bailleis, councell, and commvnitie of the said burgh of Aberdene, as they will answer vpon their obedience

to the Kingis Maiestie. Promitten. de rato. Extract furth of the Register of the Assemblie, &c. Sic subscribitur, Th. Nicolsoun.

30th March, 1617.

The sessioun appoyntis the holie communion of the bodie and blude of Chryst to be celebrat to this congregatioun, on Sonday immediatlie preceding Pasche Day, as lykwayes on Pasche Day nixt, in baith the kirks of this burt.

25th January, 1618.

Alexander Pantoun being citat to this day for painting a crucifix, to hawe bene careit at the funerallis of Mr. Richard Irwing, sum tyme baillie and burges of this burghe, the caryeing quhairof wes stayit and interruptit be auctoritie of the magistrat; the said Alexander, comperand personallie, declairis that, in absence of the paynter, he wes earnestlie requestit be Mr. Alexander Irwyng, sone to the said Mr. Richard, to paynt sum thingis for his fatheris funeralls, and that peice of wark haweing a crucifix on the one syid amongs the rest, for the quhilk he ressauit no gaine nor reward; nather mackis he any professioun of paynting, nor resauis he any gaine for the same. And, gif he had knawin that any thing he did in that erand sould haue bred offence to any, he wald not hawe payntit anything, for any request whatsoewir. The sessioun, adwysing heiron, admonischit the said Alexander that he sould neuer do the lyike in tyme comeing, quhilk he promeist to obey.

22d March, 1618.

The magistrattis, ministris, and elderis appointis the holie communioun to be ministred in both the kirkis of this burghe this day aucht dayis, and on the Sabboth nixt thairefter. And, forder, thinks it expedient, for the better help of the poore, that tua of the magistrattis stand at the end of ewerie tabill in both the kirkis the tyme of the ministratioun of the holie communioun, and demand of ewerie communicant, at thair ryising from the tabill, sume almes to the poore according to the forme obserwit in reformit congregatiounes in the south pairtis of this realme; and the said contributioun to be delyuerit to the collectour of the sessioun, and he to be chargit thairwith in his

comptis; and ordanis intimatioun to be maid heirof out of pulpitt on Tyisday and Thuirsday nixt.

31st January, 1619.

Patrick Bodie, tailyeour, confessit he maid inquirie at the Egiptianes for a gentill womanis gowne, quhilk wes stowin out of his buyth, and thairfor, in respect of his consultatioun with witches, the bishop and sessioun ordaines him to compeir befoir the pulpitt on Sonday nixt, and thair, immediatlie efter sermon befoir noone, sit doun on his kneis befoir the pulpitt, and confes his offence in presence of the congregatioun, and crawe God and the congregatioun pardoun.

23d January, 1620.

Doctor Forbes having endit the Epistle to the Hebrewis sen his entrie to the ministrie in this burt, to the great confort of his flock, he is appoyntit to teache nixt, God willing, the Epistle of Paull to the Romanes.

27th February, 1620.

Efter incalling of God, anent the summondis execute to this day againes Robert Irvyng, son to vmquhill Maister Richard Irvyng, burges of Aberdene, Alexander and Willeame Mengyeis, sones to Mr. Thomas Mengyeis of Balgownie, and Robert Layng, sone to vmquhill John Layng, burges of the said burtht, quhairby thay wer summondit to compeir this day and place befoir my lord bishop and his assessoris for the causs subsequent, viz.: The said Robert Irvyng, for his not resorting to the kirk and hering of the sermones nather on the Sabboth nor oulk dayes, be the space almost of this yeir immediatlie bygane, and thairby giving publict scandall, be his prophanatioun of the Lordis Saboth, and not resorting to the sermones; and the saids Alexander and Willeame Mengyeis, and Robert Layng, for making apostacie and falling avay from the trew christane fayth and religioun, quhairin thay wer baptezed, and quhilk is publictlie profest and established within this realme, be the warrant of Gods word and his majesties lawis, in that thay opinlie prophane the Lordis Saboth, and novayes resortis to the kirk for hering of the sermones, nather on the Saboth nor oulk dayes, since the tyme of thair returne to this

burght from the pairtis of France; and, thairfor, to heir and sie thame selffis and ilk ane of thame censured and puneist accordinglie: as also, the said Alexander and Willeame Mengzeiss, and Robert Layng, to swear and subscrywe the Confessioun of Fayth and Religioun presentlie profest and established within this realme, in respect they ar laitlie returned from forane countries, and ar delated to hawe maid apostacie and defectioun in religioun: With certificatioun to the fornamed persones, gif thay comperit not to the effect forsaid, the bishop wald proceid aganes thame with the censures of the kirk for thair contumacie, as at mair lenght wes contenit in the said summondis and executiones thairof. Quhilk, being callit, comperit the said Robert Irvyng, quha being accused, conforme to the said summondis, for prophaning the Lordis Saboth, and not resorting to the kirk and sermones; the said Robert promeist to keip the kirk, and to resort to the sermones in tyme cummin, quhen he remanes within this burtht; and to giwe obedience and conformitie in all vther thingis, as he sal be required, conforme to his majesties lawis. And siclyk comperit the saidis Alexander and Willeame Mengzeiss, quha, being accused in manner forsaid, and being desyrit to swear and subscryve to the Confessioun of Fayth, established be the word of God within this kingdome, thay desyrit the space of fourtie dayes to be assignit to thame for advysseement vpon thair ansser in the premissis, be reasone thay ar bot laitlie returnit hame to this burght from the pairtis of France, and ar not yet resolued; at the expiring of the quhilk fourtie dayes, they promesit to giwe satisfactioun to the bischop, be subscriving of the Confessioun of Faith, and gewing conformitie in all vther thingis as sal be inioyned; otherwayes, ar content to be processit with the censures of the kirk. And the bishop, be advyse of his assessors, being most cairfull and desirous of thair reclaming, condescendit to thair desyre, and grantis to thame the tyme forsaid for thair resolutioun and advyisment: With certificatioun, gif at that tyme thay giwe not full conformite and satisfactioun, he will caus proceid againes thame with the censures of the kirk, and, in the meintyme, desyrit the saids Alexander and Willeame Mengzeiss to repair ordinarlie to the hering of the sermones, and to confer with the bishop and any of the ministrie quhome thay pleased for thair resolutioun; and the said Robert Layng being callit, and not comperand, is ordanit to be warnit of new agane to this day aucht dayes, to ansser to the poyntis

of the said summondis, with certificatioun, gif he comper not, to proceid againes him for his contumacie.

30th April, 1620.

The said day, Alexander and Willeame Mengzeiss, sones to Mr. Thomas Mengzeis of Balgownie, being desyrit yit as of befoir to swear and subscryve the confessioun of the trew Christian fayth and religioun presentlie professit and establishit within this kingdome, and to commvnicat at the Lords tabill, declaired thay wer not yit resolued, and thairfor desyrit a competent tyme to be assignit to thame for thair resolvtioun, promesing, in the midtyme, to be ordinar heraris of the sermones; the bishop, be advyse of his assessors, appoyntis the articles of the Confessioun of Fayth to be delyverit to the saids Alexander and Willeam Mengzeiss, to the effect thay may be advysit thairwith, as lykvayes grantis to thame the haill tyme betuixt this and the subsynod, quhilk is Thursday immediatlie efter Witsonday nixt to cum, for thair resolutioun, and warnis thame, *apud acta*, to be present at the said subsynod, the day forsaid, with certification gif thay apeir not, to proceid againes thame with the censures of the kirk; and, in the meintyme, ordanes thame to be ordinar herars of the sermones, and to confer with the bishop and ony of the ministers thay pleas, vpon sic poyntis of the Confessioun off Fayth as thay ar not resoluit vpon.

7th May, 1620.

The said day, Robert Layng being desyrit to swear and subscryve the Confessioun of Faith, and to commvnicat at the Lords tabill, he craved a tyme to be resolued; the sessioun continewis the mater till this day fiftene dayes, that the bishop be present, and warnit the said Robert therof, *apud acta*.

21st May, 1620.

Efter incalling of God, Robert Layng comperand personallie befoir the bishop and sessioun, and being desyrit as of befoir to swear and subscryve the Confessioun of Faith, and to commvnicat at the Lords tabill, desyrit yit a tyme to be assignit to him for his farder resolution; and being demandit to shaw quhat poynt of the Confessioun of Fayth he doubtis vpon, and to tell his scrupules, wald condescend on no particular; alvayes the

bishop grantis him yet as of befoir Thursday efter Witsonday nixt for his resolution, and warnis him, *apud acta*, to compeir that day befoir the subsynod, with certificatioun, gif he comperis not, to proceid againes him with the censures of the kirk.

28th May, 1620.

The quhilk day, efter incalling of God, comperit Thomas Mengzeis, sone to Maister Thomas Menzeis of Balgownie, and humblie desyrit to be relaxt from the sentence of excommvnicatioun pronuncit againes him for his refusall to swear and subscrywe the Confessioun of Fayth and religioun presentlie profest and estableshit be the warrand of Gods word within this Kingdome, and for refusing lykvayes to communicat at the Lordis tabill, offering now, efter his better resolutioun, to giwe conformitie and satisfactioun in all these poyntis, as shall be jnioyned to him; quhairanent the bishop and his assessors advysing, declaris thay ar most glaid and willing to ressaue againe the said Thomas within the bosome of the kirk, he gewand conformitie and satisfactioun to the kirk discipline; lykas, for that effect, thay appoynt the said Thomas to come the morne, at ane efternoone, to the bishop, and to ressawe fra him the Confessioun of Fayth to be adwysit thairwith, and to come on Tuysday or Thursday nixt, befoir the bishop and his assessors, and to sweare and subscrywe publictlie the said Confessioun of Fayth.

31st May, 1620.

The quhilk day, efter incalling the name of God, comperit Thomas Mengyeis befoir the bishop and sessioun; and, efter he had solemplie sworne to the haill articles of the Confessioun of Fayth and religioun presentlie profest and established within this kingdome, as the samen wer seuerallie and distinctlie red to him be the bishop, the said Thomas then instantlie subscryvit the saidis articles with his hand, and promeist to commvnicat at the Lords tabill how sone he sall be requyred to that effect. In respect quhairof, the bishop, be advyse of his assessors and of the haill sessioun, ordanes the said Thomas to be relaxed from his excommvnicatioun; quhilk sentence of excommvnicatioun wes pronuncit be Mr. James Ross, minister, immediatlie efter sermone in the new kirk, in presence of the haill congregatioun, to their great joy and contentment.

11th June, 1620.

Robert Layng, being desyrit as of befoir to sweir and subscriwe the Confescioun of Fayth and religioun profest within this kingdome, refusit to do the same, and thairfor is chargit be the bishop to remowe himselff furth of the kingdome within fourtie dayes nixt efter the dait heirof, conforme to the act of Parliament, vnder the payne of the censures of the kirk.

The quhilk day, efter incalling of God, Alexander and Willeam Mengzeis, sones to Mr. Thomas Mengzeis, being convenit befoir the bishop and sessioun, to swear and subscrywe the Confessioun of Fayth, declarit they wer not yit fullie resolued; the bishop ordanes the Articles of the Confessioun of Fayth to be delyverit to thame the morne; and appoyntis thame to advyse therupon till this day aucht dayes, and that day to giwe thair ansser to the bishop efter the dissolving of the sessioun.

James Cheyne, being delated for not resorting to the sermones, nor yit commvnicating at the Lords tabill, declarit and professit opinlie befoir the bishop and sessioun that he is of the trew religioun, presentlie profest, established in this kingdome. Lykas he promeises to report a testimoniall from the Bishop of Dunkeld that he commvnicat in his kirk of [ ] at Pashe last wes; and offers yit to commvnicat in this kirk, how sone he sal be required.

6th August, 1620.

Walter Leslie, comperand befoir the bishop and his assessors, wes desyrit to swear and subscryve the Confessioun of Faith and Religioun presentlie professit and estableshed within this kingdome, and to commvnicat at the Lords tabill, inrespect he is delated to be contrarie myndit, and to hawe maid apostacie and defectioun from the trew religion; in respect, sen the tyme of his last returne to this burght from foreng cuntrieis, he resortis not to the hering of the sermones, neither hes he participat of the sacrament of the Lords Supper. The said Walter ansserit, he wald resort to the sermones quhen he reparit to this burght; bot wes not resoluit to swear nor subscryve the Confessioun of Fayth, seing he wes not ane scholar, and vnderstude not the

same. And the bishop, for the said Walter his better resolutioun, ordanes the Confessioun of Faith to be delyverit to him, that he may be advysit therwith; and, whairin he sall hawe ony dout, ordanes him to cum to the bishop or ony of the ministrie, and gett resolutioun.

3d September, 1620

The bishop requyres the ministers of this burght, as thay vill be anserabill, vnder payne of sic censures as thay may incur, to conveine befoir the sessioun all and quhatsumever inhabitantis in this burght that resortis not to the hering of the sermones on the Sabboth and oulk dayes; and to inflict vpon thame sic censures as is prescryvit be the kirk discipline.

1st October, 1620.

Walter Leslie, being warnit to this day, and compeirand befoir the sessioun, wes desyrit to swear and subscryve the Confescioun of Fayth and religioun presentlie profest within this kingdome, quha anserit he wald subscrywe, bot wald not swear the same, in respect of the difference amongst scholaris concerning these poyntis, and that he is not a scholar, and thairfoir the said Walter is ordanit, *apud acta*, to compeir before my lord bischop and his assessors of the Presbyterie of Aberdene, on Thuirsday nixt, in the college kirk of Auld Aberdene, with certificatioun as affeiris.

The quhilk day, efter incalling of God, thir persones subsequent wer nominat and chosin to be eldaris and deacones of the sessioun of the kirk of this burgh for the yeir to come, viz., Maister David Rutherfurd, provest; Thomas Forbes, Robert Johnestoun, Gilbert Cullen, Maister Johne Mortimer, bailleis; Johne Collisone, Mr. Alexander Cullen, Paull Mengzeis, Willeame Gray, Willeame Lowsone, George Nicolsoun, David Cargill, Maister Willeame Moir, Robert Alshenor, Maister Alexander Jaffray, David Adye, wer nominat and chosin to be eldaris; Thomas Burnett, Robert Inglis, Hew Andersone, Andro Meldrum, Johne Duff, David Ronaldsone, Patrick Davie, Johne Cothrome, James Smyth, Willeame Cutberd, Robert Kelo, Andro Kellie, Samuell Measone, Andro Howysoun, Andro Birny, Alexander Blakhall, Thomas Robertsone, James Donaldsoun,

George Johnestonn, eldaris; Alexander Ramsay, youngar, Paull Inglis, Alexander Watsone, Robert Bruce, Johne Alexander, and George Blakhall, saidler, wer nominat and chosin to be deacones; quhilk nominatioun of the persones aboue named to the said offices respectiue of eldaris and deacones for the yeir to come, is ordanit to be publeshed and intimat out of pulpitt in both the kirks of this burgh, this day aucht dayes, and thair names to be affixt on the redaris lattrvne in both kirkis, to the effect that if thair be any within this congregatioun that hes iust exceptioun againes any of thame quhy thay aucht not to be admittit to the saids offices, that betwixt and that day aucht dayes nixt thairefter, thay wald signifie the same to the bishop or any of the ministrie, that in case iust caus be fund in any of thame quhy thay suld not be admittit to the saidis offices, vtheris may be admittit in thair rowmes be adyse of the sessioun.

25th October, 1620.

The quhilk day, efter incalling the name of God, the ministers, eldaris, and deacones of the new sessioun, being convenit in the sessioun hous, appoyntis their hour of meting to be ilk Saboth day, efter noone, immediatlie efter the ending of the efter noones sermone, according to vse and wont, and gif any of thair number sal be absent at the ordinar time of meting forsaid, or at ony vther dyett quhen thay sal be warnit to convene, without a lawfull excuse of seiknes or absence aff the towne, the persone absent sall pay sex sh., aucht d., for ilk absence, to be applyit to the vse of the poore, conform to the auld actis maid thairanent of befoir; and farder, ordaines that secrecie be kepit of all materis reasoned and concludit in sessioun, namelie that nane report quhat thair nichtbor hes voted or reasoned, in quhatsumever mater that sall come in befoir thame, quhilk thay all promeist to do be thair handis vphaldin; and for that effect, it is commandit and jnioyned that nane be sufferit to remane in sessioun except the ordinar memberis thairoff allanerlie, and if any vther nor the ordinar memberis happin to come in and sitt doun in the sessioun hous quhen the sessioun ar convenit, ordanes the kirk officier presentlie to remowe thame.

The samyn day, it is thocht meit and expedient for the furtherance of the commoun contributiones at the kirk durris for the support of the

poore and for help of the kirk wark, that the baillies, counsall, and eldaris, with vtheris of the most honest rank of persones within this burgh, sall stand at the kirk durris *per vices*, as thay sal be warnit be the kirk officier, to collect the voluntar contributioun of the inhabitantis of this burght, and vtheris resorting to the sermones, both on the Sabboth and weke dayes, for help of the poore and kirk wark, and ane roll of thair names to be maid be advyse of the bailleis, and gewin to the kirk officier to the effect forsaid.

Item, It is thocht meit that the bailleis, with some of the eldaris, sall everie Saboth, *per vices*, pass throw the towne, and sie that the people resort to the kirk for hering of the sermones, both befoir and efter noone; and to delaitt and nott the absentis, that thay may be processit and censured, conforme to the discipline of the kirk. Lykas the bailleis ar desyrit to chuis quarter maisteris to assist and concur with thame in this bussienes; and to note and giwe vp the names of sic nichtboris as settis houss to strangeris and vnfrie persones without licence and allowance of the magistratt.

Item, It is appoyntit that the four deacones that distributtis the weiklie almes, for intertenement of the townes commoun poore to saiff thame from begging, sall attend on the distribution thairof everie Mononday, immediatlie efter the ending of the morning prayeris; and sall caus the hail poore that ressaues veiklie contributioun compeir to the catechising, that thay may be ouklie instructit in the groundis of Christiane faith and religioun be Maister Richard Ross, redar, quha is appoynted to instruct and catechise thame weiklie, on Mononday, efter the morning prayeris.

Item, Vheras many and dyvers persones, both men and women, giltie and culpabill of gross synnes and sclanders, fleis from thair awin parochines and places of thair former residence, and resortis to this burght, quhair thay ar some of thame ressaued in service, and houses sett to vtheris, without any tryell takin of thair former lyff and conversatioun; and not onlie therby exemis thame selffis from the kirk discipline of the parochin quhair thay remanit of befoir, and from vther

punishement dew, to be inflicted on thame be the civill magistratt for thair bygane demerittis, bot lykvayes fallis out in haynous synnes and disorderis within this burght, gewin ewill exampill and scandall within the same, to the offence of God, and to the great detriment and sclander of this congregatioun: for remeid quhairoff, it is statute and ordanit be the magistrattis and sessioun, that, from hencefurth, no inhabitant within this burght quhatsoever sall accept or ressaue in service, or yit sett houses to, any persone or persones quhatsumeuer, cumming out of thair awin parochines and pairtis quhair thay duelt and remanit of befoir, without a sufficient testimoniall of the minister and eldaris of that parochin, testifeing of thair bygane honest lyff and conversatioun, and that thay ar lawfull and honest persones, frie of publict scandall; vnder the payne of fywe pundis, to be payit to the vse of the poore be quhatsoever inhabitant of this burght accepting thame in service; and vnder the pane of ten lbs., to be payit to the magistratt, be sic as settis thame any houses without a lawfull testimoniall, as said is, and the consent and licence of the magistratt, according to actis of consall formerlie sett doun heiranent. And ordanis intimatioun to be maid of this act out off pulpitt, that nane pretend ignorance theroff.

Item, It is ordanit that no inhabitant within this burght sall, in ony tyme heirefter, go to sermone to Futtie kirk on the Saboth day, bot that thay resort to thair awin paroche kirkis within this burght, and heir the sermones within the same, both befoir and efter noone; vnder the pane of sex sh. aucht d., to be vplifted of the contravenar, *toties quoties*, to the vse of the poore. And this act to be lykvayes intimat out of pulpitt.

Item, The ministrie and sessioun requests the magistrattis to giwe order that the constables throchout thair seuerall precinctis and famelies committit to thair inspectioun, giwe speciall attendance that the blasphemaris of Godis holie name be puneist, conforme to the act sett doun be the counsell of this burght againes thame in December, 1608.

Item, It is ordanit that the sacrament of the Lordis Supper sal be ministred, God willing, to all the inhabitantis of this burght in all con-

venient diligence: and that the examinationes sal begin for that effect on Mononday cum aucht dayes. To be intimatt out of pulpitt on Tuysday and Thuirsday nixt; as lykwayes the nixt Saboth.

5th November, 1620.

The sessioun convenit not this day, becaus it wes appoynted for publict thanksgewing for his Majesties delyverie from the pulder treasone at Londoun.

5th March, 1621.

Robert Layng, sone to Johne Layng, burges of Aberdene, being warnit to this day for the secund terme, to ansser to the delatioun and summondis execute againes him for macking apostacie in religioun, prophanatioun of the Lordis Saboth, and not resorting to the hering of the sermones, nather on the Saboth nor oulk dayes, since the tyme of his returne to this burght from forane cuntries, quhair he hes bene resident these dyvers yeiris bypast; the said Robert comperand personallie, and being accusit vpon the poyntis of the said summondis, and conforme thairto, being desyrit to subscryve and swear to the Confessioun of Fayth presentlie profest within this kingdome, he refusit to subscryve; in respect whairof, the bishop, be advyse of his assessors, ordaines the said Robert, betuixt the dait herof and Pashe nixt to cum, to giwe conformitie and satisfactioun be subscryving, swearing, and commvnicating according to the order, with certificatioun, if he failyie, to proceid againes him with the censures of the kirk; and, in the midtyme, the said Robert promeises to be ane ordinar herar of the sermones, and to confer with the ministrie for his resolutioun.

25th March, 1621.

Efter incalling of God, James Nauchtie, comperand personallie befoir the sessioun, declarit he wald not marie Mariorie Hendersone, nochtwithstanding of thair contract and proclamatioun of thair bandis, becaus he hes conduceit him selff to gang to Bohemia to play the sogeor. Lykas the said James and Mariorie, with consent of James Hendersone, hir father, discharges ather of them the vther of all promeis of mariage: in respect quhairof the sessioun discharges the saidis pairtes and thair cautionaris of the penaltie of fourtie pundis incurrit be ather of thame for not accompleshing thair mariage.

8th April, 1621.

Efter incalling of God, these persones following, viz.: Alexander and Willeame Mengzeiss, sones to Mr. Thomas Mengzeis, of Balgownie, Jeane Mengzeis, spous to Thomas Collisone, Jeane Irvyng, spous to Mr. Williame Paip, and Jeane Andersone, spous to Mr. Alexander Paip, ar delated be the eldaris for not commvnieating at the Lordis Tabill in any of these thrie Sabothes past; and thairfor ar ordanit to be warnit befoir the bishop and the Presbyterie of Aberdene as recusantis.

20th May, 1621.

Item, gevin in be Doctor Forbes, ressaved be him of contributioun to the poore, from sic as hes commvnicat privatlie this last veke, four punds four s. four d.

24th June, 1621.

Iniunctiones gevin and intimat to the forsaid poore that ar intertenat be ouklie contributioun; to the quhilkis thay must conforme thame selffis, and quhairanent thay sall abyd tryell at thair resett of everie wekes contributioun:

First, Thay sall all of thame keip the kirk, and divyne service thairin daylie: with certificatioun, that thryis absence togidder sall forfalt thair pensioun for that weeke.

Secundlie, Thair sall none of thame be fund begging, vnder the said payne.

Thirdlie, Thay sall nane of thame ressett to thair hous or societie any vther persone, poore or rich, stranger or townisfolk, without the knawlege and licence of the magistrattis; vnder the payne to be baneist out of the towne, and to want thair pensioun for ever.

Fourtlie, Gif any of thame beis convict of banning or swearing efter dew admonitioun, thay sall want thair pensioun for ane weke; and, in cace of continewance in thair fault, to want thair pensioune altogidder, and thair persones to be punished.

Fyftlie, That every Mononday efter publict prayeris, thay be all at the catechising; and thairefter to ressaue thair oulkes almes.

Maister Richard Ross, redar at the examinatioun and catechising of the poore, is ordanit to try the delinquents in the premisses; and first to admoneis thame; and thairefter, in cace of thair perseverance, to adverteis the deacones that distributtis the almes, quha, be advyse of the sessioun, sall conclude thair censure or punishement.

1st July, 1621.

The quhilk day, the magistrattis, ministrie, eldaris, and deaconis of the sessioun appoyntis a publict fast and humiliatioun of all the inhabitantis of this burght, to begin this day fyftene dayes, and to continew all the oulk, with the Saboth day immediatlie therefter folowing, as the lyk is indicted be the bishop throchout the haill kirks of this diocie, be reasone of the great impietie abounding in this land, and of the distrest estate of the kirk of Chryst in France, Germanie, and Poleland; and intimatioun to be maid heirof out of pulpitt on Tuysday, Thuirsday, and Sonday nixt, that the people may prepair thame selffis.

23d September, 1621.

A public fast ordered on account of "the persecutioun of the Kirk of God in France, Germanie, and Pole, and the present imminent danger of the wracking of the cornes be thir extraordinarie weittis."

11th November, 1621.

It is thocht meit and expedient be the magistrattis and sessioun, that the bookes in the kirk librarie sall be put in catolog and transportit to the librarie within the college, thair to remane in tyme cumming, vpon securitie to be gewin be the keeper of the college librarie to mak the saids bookes extant and furth cummand to the town.

3d February, 1622.

Memorandum, Mr. Willeam Forbes declarit to the sessioun that he wes to end his travellis in the ministrie heir on Tuysday nixt, be reasone of his calling to be minister at Edinburght.

10th February, 1622.

The quhilk day, efter incalling of God, Mr. James Ross, moderator of the sessioun, presented, in presence of the magistrattis, eldaris, and deacones of the sessioun convenit in the sessioun hous, ane missive direct from our souerane lord the Kingis maiestie, to the lordis of his hienes privie councell of this kingdome, in favours of the afflicted kirk in France, with ane vther missive direct, for the same effect, be the lordis of the high commissioun; of the quhilkis letteris the tenor folowis:

His Maiesties letter direct to the councell.

Right trustie and right weilbeloved cowsignes and counsalours, and right trustie and weilbeloved counsalours, we greit you weill: Whereas, be reasone of these trubles in France, a werie great number of people professing our religioun hawe left thair fortunes in that kingdome, and for thair saiftie hawe fled, with thair wyffis, childrene, and famelies, into this, having no other meanes of mantenance, saiffeing the charitie of weill disposed people, we hawe bene pleased, out of our royall commiseratioun of thair distrest estate, to permitt a voluntarie contributioun to be levied in this our kingdome from suche as out of thair christiane charitie sal be disposed to contribute to thair releiff. And althought we ar not ignorant of the small store of money presentlie to be fund in that our kingdome, yett, in so pitiefull a cace, we hawe bene pleased to yield to the humble sute of the deputies of the Frenshe kirk heir, who hath most humblie besought ws that the voluntaire help of weill disposed people there may lykvayes be craved and collected: It is, therefor, our plesure that ye giwe directiones to the archbishops to wreitt to the bishops of thair provinces to recommend it to the charitable devotioun of thair particular flocks. And such money as shal be levied for that effect, to be by the minister of eache paroche brought to his ordinar, and by him to the archbishop, who is to caus it come to the handis of the commissionar for the Frenshe Kirk; and, not doutting of your furtherance of so charitabill a work, we bid you faire weill. Given at New mercatt, the 8th of November, 1621.

Copie of the Letter sent be the Lordis of the Hight Commissioun to the Brethrene of the Ministrie within everie diocie.

Right worshipfull and weilbeloved brethrene, Thair hath laitlie come

hither ane of the chois ministers of the reformed churche in France, who hath bene heir befoir ws, and declarit to ws the lamentable estate of that churche, and withall schawed vnto ws ane ampill commissioun from the same, togidder with a warrant from his Maiestie to come into this realme, and to seik such relief for the afflicted state of that churche as may come by the voluntarie contributioun of devott charitable people; thairfor, we having consideritt that the professioun of the gospell there is in great danger evin to be exterminat and rooted out of that most floreshing kingdome, to the vnspeakable hurt and detriment of the whole reformed churche, whairof we are a pairt, hawe thought good, as feilling memberis of one bodie with thame, earnestlie to recommend thair present eace to all weill affected professoris of religioun. And to the effect that quhilk shuld be done heirin, may be performed with expeditioun, ordour, and some good effect, we hawe thocht it meit that in everie presbyterie thair be appoynted one of the ministrie thairof, and tuo or thrie of the gentillmen of best creditt within thair boundis, assuming to thame selffis in everie paroche the minister thairoff, to gadder the voluntar benevolence of all that ar abill and weill disposed within the landwart paroches of that presbyterie; thairfor, we entreatt yow in the bowellis of the Lord Jesus, that ye tacking with yow the minister of ilk paroche, will be pleased to tak the paynes to go throw all the landwart paroches within the precintis of your presbytrie, addressing your selffis to the gentillmen and vtheris that ar abill, and efter a trew declaratioun of the great necessitie of our poore afflicted brethrene, to receawe and collect what it shall pleas God to mowe thair hartis to bestow; and that ye wald hawe ane booke whairin the particular contributioun of everie one may be set doun, gentillmen and vtheris of gude moyen, testifeing by thair subscriptioun what thay hawe gewin, and the minister macking a nott of the rest, with a soume of all in the end, which roll or booke we desyre yow subscrywe with your handis, and to send it to the bishop of your diocie, together with your contribution, that it may be tymouslie delyverit to the forsaid commissionar who presentlie attendeth the end of this bussienes at Edinburght; thus assuring yow that this ministratioun being faithfullie performed by yow, will both hawe praise with all good men, and the awin dew revard at the handis of God. We commend yow and this service to his blessing, Alwayes resting, &c.

Quhilks letteris, togedder with ane vther letter direct from Edinburght, be the reverend father in God, Patrick, Bishop of Aberdene, to his brethrene of the Presbyterie of Aberdene, being all opinlie red in sessioun, and thay thairwith being advysed, findis the desyre of the same most reasonable; lykas, for thair pairt, thay will be content to contribute to thair powar, for the help of the distrest estate of thair afflieted brethrene, and will giwe ordour that a voluntarie contributioun be craved to that effect from such inhabitantis of this burght as ar habill to giwe the same, efter thay hawe hard what course is taken thairanent be the burrowis in the south pairtis of this realme.

5th May, 1622.

The quhilk day, efter incalling of God, the ministeris, eldaris, and deaconis of the sessioun of the kirk of New Aberdene, being convenit in thair sessioun hous, anent the summondis gewin in, dewlie execute and indorsit, againes Thomas Mengyeis of Balgonie, Margrat Gordoun, his spous, Maister Willeame Paip, Jeane Irvyng, his spous, Maister Alexander Paip, Jeane Andersone, his spous, Robert Irvyng, sone to vmquhill Mr. Richard Irvyng, Elspett Leslie, reliet of the said vmquhill Mr. Richard, Issobell and Mariorie Irvyngis, hir dochteris, George Leslie of Auld Craig, and Willeame Andersone, prenteis to Thomas Layng, goldsmyth, whairby thay wer all lawfullie summondit to this day to ansser to the poyntis of the said summondis; that is to say, in so far as thay hawe a gude space bygone, openlie substracted thame selffis from all ordinarie publict worship in the fellowship of Godis kirk amongst ws, ather in publict prayer, ordinar hering of sermones, or commvnicating at the Lordis table, and so had made manifest apostacie from the trew religioun presentlie professit and by lawis estableshed in this kirk and kingdome: Thairfor, to heir and sie thame selffis, and every ane of thame, convict of apostacie, and such censure decernit againes thame, as to the qualitie of so great ane offence aperteaned, quhilkis persones being callit, compeirit the saidis Thomas Mengyeis, Maister Willeam Paip, and Robert Irvyng, quha being accused of the saidis poyntis, manifesting thair evident apostasie, anssered thay did forbear to resort to, or be partackeris of, our publict worship, and to commvnicat with ws, becaus thay professed that thay wer none of our professioun; yit, for avoiding of any sentence quhilk might be gewin againes thame, and for gewing satisfactioun in any scandall had arissin

be thair behaviour, so far as in conscience they culd, thay wald resort to the hering of sermones heirefter quhen thay convenientlie might; the sessioun anssersd, that in so pertlie allowed contrarietie of religioun, albeit thair apostasie wes by thair awin confessioun and cariage so evident, as the kirk had iust reasone to excommvnicat thame, who so wilfullie and contemptuouslie did separat thame selffis from the commvnioun of the church; yit to shaw in what compassioun and lenitie the sessioun wes willing to deall with thame, it wes offered to thame that if, according to the lawis of the kingdome and kirk, thay wald conforme thame selffis in swearing and subscryving the Confessioun of Faith of this church, and commvnicat at the Lordis tabill (whairof the commodite wes offered thame within fyftene dayes, to wit, vpon the nyntene day of Maij, instant, in the old kirk of Aberdene), the sessioun wald cease from farder proces or jnioyning any farder censure for ought wes passed: heirto it wes ansserit be the personis forsaidis that thay culd not yeild thairto, bot that thay wauld be ordinarie heraris of sermones, and should commvnicat at the nixt ordinar occasioun, viz. at Pasche nixt. To this the sessioun anssered, that this wes not the first tyme that thay had bussienes and trubill with thame, and that oftèn befoir thay had schifted proces with such verball offeris; yea some of thame had bene alredie excommvnicat for apostacie, and, vpon great and solempne promeises of conformitie thairefter, had bene assoilzeid from the said sentence, and receaved in the communioun of sanctis; in all which, notwithstanding, the kirk hes fund nothing bot ludificatioun, farder contempt and insolence, nothing being keped that thay promesed, and, thairfor, askit of thame gif, for assuring the sessioun of thair vpright meining to performe what thay offered, thay wald giwe thair band thairvpon, vnder such paynes as might giwe to be presumed thay intendit no more to mock and schift, as in tymes past: and awat it wes too far for the kirk to go with thame, of whome thay had such experience, yit perhappis thay wald be induced to tak this proofe of thame also. Heirto the persones forsaidis anssered that thay wald not giwe any such bandis. Whairby the sessioun, considdering thair allowed apostacie, and proud and insolent behaviour, intending nothing bot ludificatioun, ordanit that, except thay did conforme thame selffis, the proces of excommvnication suld be led aganes thame, as being cleirlie convinced off manifest apostacie from the treuth of christiane

religioun. And the remanent persones afoir wreittin, viz.: the saidis Margrat Gordone, Jeane Irvyng, Jeane Andersone, Elspett Leslie, Issobell and Mariorie Irvyngis, hir dochteris, George Leslie of Auld Craig, and Willeame Andersone, being ofttymes callit, and not comperand, the sessioun ordanes thame to be warnit of new agane to this day aucht dayes for the secund terme: with certificatioun as efferis, and summondis to be direct to that effect. Lykas public intimatioun is ordanit to be maid out of pulpitt on Tuysday and Thuirsday nixt, and on Sonday therefter, that the holie commvnion is to be ministred in the auld kirk of this burght this day fyftene dayes, to all these of this congregatioun quha commvnicat not at Pashe last, and to such vtheris as shall find thame selffis deulie prepaired to participat of the samen; quhilk intimatioun wes maid accordinglie out of pulpitt in both the kirkis of this burght, to the effect nane sall pretend ignorance.

2d June, 1622.

The samen day, Jonet Gordoun, schoole maistres, becum actit voluntarlie of hir awin consent, to keip and observe the sermones on the Lordis day in tyme cumming vnder the payne of ten pundis, to be payit be hir to the collectour of the kirk session, for the vse of the poore, in cace sho be fund absent thrie svndayes contigue togidder; and, siclyk, the said Jonett become actit to commvnicat yeirlie at the Lordis tabill anes at least everie yeir during hir lyftyme, vnder the payne of tuentie pundis, to be payit be hir to the vse forsaid, for ilk yeiris, *toties quoties.*

30th June, 1622.

The said day, in presence of the magistrattis, ministers, eldaris, and deacones of the sessioun of this burght, comperit Maister William Paip, quha being vnder proces of excommunication for his apostacie in religioun, in not resorting ordinarlie to the hering of the sermones on the Lordis Saboth, nather yit commvnicating at the Lordis tabill, become actit and obleist voluntarlie of his awin consent, to pay to the ministers of this burght for the vse of the townes commoun poore, the soume of ten pundis Scottis money, for ilk thrie Svndayes he hapnis to be absent continewallie togidder fra the sermones, he being in health of bodie and within the towne: as lykvayes to pay the sowme of ane hundreth merkis money, to

the vse forsaid, *toties quoties*, in cace he commvnicat not at the Lordis tabill anes everie yeir in tyme cumming.

14th July, 1622.

Willeame Lowsone, baillie, gawe in to the collectour, for the vse of the poore, sevin punds thrie s. sex d. of the superplus of the King's ordinar taxatioun of his quarter.

21st July, 1622.

A public fast ordered on account of "the felt wraith of God upon the land be this present plague of darth and famine, and the continewance thairof threatened be thir tempestuous stormes and invndationes of weittis licklie to rott the fruictis on the ground."

11th August, 1622.

The sessioun dischargis Willeame Davidsone of his office of expelling stranger beggaris and of all fie and benefeit he had be the same, in respect he is fund giltie of tacking blak maill from the poore beggaris, to suffer thame beg throu the towne.

The quhilk day, vpon entreatie of dyveris respectfull persones who had bene laboring with the foirnamed recusantis, and as thay thought had brought thame to a willingnes to giwe satisfactioun, the sessioun wes convenit befoir the foirnoones sermones to heir thame, as being glade to draw thame to any gude poynt. At quhilk tyme, efter incalling of God, comperit Thomas Mengyeis of Balgouny for himselff, Robert Irvyng, sone to vmquhill Mr. Richard Irvyng, for him selff, and in name of Elspett Leslie, his mother, Issobell and Mariorie Irvyngis, hir dochteris, and siclyk comperit Thomas Layng, goldsmyth, for him selff, quha, in place of any offer of satisfactioun, gawe in the appellatioun folowing, subscryvit with thair handis, appealling from the judgement of this sessioun to my Lord Archbishop of Sanctandrous, Primat of Scotland, off the quhilk appellatioun the tenor folowis :—

Vnto your wisdomes moderatour, ministeris, eldaris, and deacones of the sessioun of Aberdene, we, Thomas Mengyeis, Robert Irvyng, Walter Leslie, Thomas Layng, Elspett Leslie, Issobell and Mariorie Irvyngis, that quhair ye ar determined to proceid aganes ws with the sentence of

excommvnicatioun, and that becaus we will not giwe bandis, thairby oblesand ws vnder great and exorbitant sowmes, far exceding our meanes, to heir preichingis and commvnicat contrar all ordour and forme vsit in sic caces, nochwithstanding of our reasonable offeris maid to yow thairanent, quhairby we ar content, and be thir presentis do testifie that we ar content, to act our selffis judiciallie in your sessioun bookes, vnder ane reasonable pecuniall sowme in cace of our failyie; as lykvayes, we ar content to confer privatlie with any your wisdomes shall appoynt, and go also to heir the publict lessones of theologie till the tyme we resolue forder. quhairby it is evident that your proceiding aganes ws is not for disobedience, bot for not granting to ane vnreasonable and exorbitant penaltie. quhairto we can not condiscend; heirfor, seing your wisdomes will not admit these our reasonable offeris, bot refuises the same, we, the saidis persones, be thir presentis, appeallis to the right reverend father Johne Archbishop of Sanctandrous, Metrapolitan and Primatt of the haill Kirk of Scotland, to whome and to whais jurisdictioun we submit our selffis, heirin to cognosce and judge thairvpon, and, be thir presentis, intimattis to yow the day of our comperance to be befoir the said reverend father the sevintene day of September nixt in Sanctandrous, or quhair it shall happin his lordship to be for the tyme, thair to be cognoscit concerning the deductioun of your said proces led aganes ws and our reasonable offeris. At Aberdene the allevint day of August, jaj sex hundreth tuentie tua yeris. Et *sic subscribitur*, Thomas Mengyeis, Robert Irvyng, for my selff, mother, and sisteris, Thomas Layng. Quhilk appellatioun being opinlie red in sessioun, and thay thairwith being ryplie advysit, as also weying and considdering the manifest contempt done vnto thame, and fraudfull abusing of thair gudewill in gewing thame a sessioun extraordinarlie vpon hopes gewin of conformitie, and to find nothing bot such mockrie, and withall considdering the said appellatioun to be nather relevant in mater nor forme, first, in that the samen is groundit vpon a meir calumnie, to wit, thay maliciouslie and falslie alledging that to be the poynt vrgit vpon thame, quhilk, bott to convince thame the more, wes a courtesie and mitigatioun proponit be way of conference, wheras the poynt in process still vrgitt, is thair satisfactioun for thair apostacie and conforming of thame selffis to the present professit and estableshed treuth of religioun; secundlie, becaus from the ses-

sioun of Aberdene, the said appellatioun is maid immediatlie to my Lord Archbishop of Sanctandrous, thairby informallie and inordourlie overleaping and contempning thair awin immediat ordinar, the Bischop of Aberdene, to whom the appellation ought to have been made *in prima instantia:* Thairfor the sessioun repellis and reiectis the said appellatioun as being both informall and irrelevant. Efter the quhilk anser, the saidis Thomas Mengyeis, Robert Irvyng, and Thomas Layng, for thame selffis, and in name forsaid, gawe in ane vther appellatioun from the sessioun to our soueran lord the Kingis maiestie, and his hienes counsall, quhairof the tenor followis: Vnto your wisdomes moderatour, ministers, eldaris, and deacones of the sessioun of Aberdene: forsamekle as, aganes all law and ordour, to our great preiudice and hurt, and be apperance to bring ws perforce within the compas of his maiesties lawis, ye will wilfullie and malicioushe proceid aganes ws, and, aganest all right, reiect our appellatioun to the metrapolitan and generall Kirk of Scotland, whairby we hawe most justlie declynit your jurisdictioun, as rigorous and partiall aganest ws, quhilk ye also declair now opinlie by this most vnlawful reiecting of our said appellatioun; thairby most wrangouslie denying ws the commoun benefit of the law, patent to all in sic caces: Heirfor we, Thomas Mengyeis and Robert Irvyng, for our selffis, and in name and behalff of the rest, not finding vther refuge from your rigorous and partiall dealling bot to hawe recours to his most sacred maiestie, and his secreit councell and high commissioun appointed be him for decisioun of sic materis, by thir presentis appeallis (without overseing the ordinar prelat, bot in respect ye hawe reiected him,) to his maiestie, as visible heid of the Kirk of Britaine, and his councell coniunct with him. And heirfor intimattis to yow the day of our comperance to be befoir his most sacred maiestie the last day of October nixt, in Londone, or quhair it shall happin him to be for the tyme, thair to receawe his maiesties ordinance concerning your said proces, our offeris and appellationes made; to whose most sacred judgement we humblie submitt our selffis, the allevint day of August, jaj sex hundreth tuentie tua yeris, at the sessioun in Aberdene; *sic subscribitur*, Thomas Mengyeis, Robert Irvyng, in name and behalff of myselff, and mother, and sisteris, Thomas Layng. Efter reding of the quhilk secund appellatioun, the sessioun,

being lykvayes advysit thairwith, thay repel and reiect the same also, not onlie for the reasones above mentioned, bot, moreover, becaus it overleapis all ecclesiasticall jurisdictioun allowit be the word of God, and ratefeit and approvit by his Maiesties lawis, and *in prima instantia* appeallis to his Maiestie, as if his hienes wald allow ane vtter aboleshing of all ecclesiasticall jurisdictioun; and last of all, both the saidis appellationes aucht to be reiected and ar null, yea, and schaw most arrogant presumptioun and contempt of his Maiestie and all established ordour, in that, without any warrand from ather of the tribunallis appealled vnto, thay durst presvme, out of thair awin privat authoritie, to advocat a caus to certain dayes and places, and without his Maiesties speciall plesure knawin, to wrong so far the independent libertie of this kingdome and kirk, as to prefix dyettis, and to summond the sessioun, to compeir at Londoun and Sanctandrous; in all quhilkis considerationes the sessioun ordanes that the proces be adwysed with the Bishop of Aberdene, and the samen receaving his approbatioun, that the sentence of excommvnicatioun suld be pronuncit. According to the quhilk ordinance, Mr. James Ross, minister, and moderatour of the sessioun, and Walter Robertsoun, clerk, past to the Bishop of Aberdene vpon the said allevint day of August at efternoone, and schew him the proces and haill procedings theroff; quhairwith the bishop being ryplie advysit, and considdering the deductioun of the samen, with the heigh contempt and obstinacie of the fornamed persones, allowit of the proces as the same wes led; and except that yit by dealing thay might be inducit to a better resolutioun, ordanis the sentence to be pronuncit aganes thame this day aucht dayes.

18th August, 1622.

The quhilk day, befoir the foirnoones sermones, in presence of the magistrattis and ministrie, compeirit the said Robert Irvyng, for him selff, and in name of the haill remanent persones forsaidis, and desyrit the sentence of excommvnicatioun to be continewit till the bishopes hame cumming, who wes presentlie in landwart, promesing that he and the haill remanent shuld folow my lord bishopes advyse; quhairvpon the pronunciatioun of the sentence wes yit continewit till this day aucht dayes, and the said Robert, with the haill fornamed persones, appoynted to meit at the Bishoppis place in Auld Aberdene, the tuentie fourt day of August, instant, at tua houris efternoone.

At the Bischoppis place of Auld Aberdene, the tuentie fourt of August. 1622.

Compeirit befoir the bishop, Mr. James Ross, moderatour of the sessioun of New Aberdene, and Maister Alexander Scrogie, minister at Auld Aberdene, Thomas Mengyeis, Robert Irvyng, and Thomas Layng, for thame selffis, and in the name of the remanent persones mentioned in the proces, intreating for a continewatioun of the sentence of excommvnicatioun, whairto the bishop, efter grawe demonstratioun to thame of thair insolent and contemptuous behaviour and maliciousnes, schewed in thair vane appellationes, told thame that he wald presentlie discover whether if thay had any sincere mening, or (as apperit) wer bot contemptuous mockeris of God and his kirk: and, thairvpon, asking thame whither gif thay had offerit to the sessioun of Aberdene to be heirefter ordinarie heraris of sermones, and to commvnicat at Pashe nixt ensewing, as thair proces did bear? Thay ansserit, that indeid thay had made that offer, bot refused to bind thame selffis thairto, vnder sa great sowmes as wes required: the bishop ansserit that he perceaved that indeed, and how that thay had maliciouslie takin occasioun vpon the sessiounes courteous offer to ground foolishe appellatiounes: bot now, to stap thair mouthis, he wald be content, and shuld mowe the sessioun of Aberdene to content therewith also, to accept of thair awin offer without any other penaltie, bot that the offer being acted in the sessioun booke, and subscryvit be the offeraris, in which case the proces shuld stand over in the same state it now is at: sa as quhen ever thay sal be fund to fall back from ordinarie heiring, or, in eace of ordinarie heiring, sall yit faill in commvnicating at Pashe nixt, that then, vpon lawfull convictioun of ather, the sentence shuld be pronunceit aganes thame, and thus thay had thair awin offer accepted, and no penaltie socht of thame, bot that quhilk lawfullie and properlie the kirk might inflict. Heir, being reducit to thair wittis, thay fled that poynt agane, alledging that thay had indeid maid that offer, bot menit not absolutelie to keip it; bot that thay wer content to bind thairto vnder some penaltie. Heir the bishop ansserrit that thair proces evidentlie refellit that, in sa far as being socht of thame to secure vnder penalties, thay not onlie refused, but werie maliciouslie and impertinentlie had takin thairvpon a ground of appellatioun, quhilk the kirk perceaving, had iust mater to flie any sic dealling as might giwe thame any more mater of cavillatioun; and of-

ferit to tak with thame a werie easie cours, if thay menit vprightlie to performe what thay offered, for that wald end all proces: bot if, as wes to be suspected, thay meint nothing bot ludificatioun, the kirk had reasone to hauld the terrour of a sentence over thair heidis. To this thay anssered, in presence of the bishop, Mr. James Ross, and Maister Alexander Scrogie, that thay wald bind vnder sic penalties, as thay wald rather chuse to pay the same, then to joyne with ws in any commvnioun of our religioun; and being resolued in conscience of the vnlawfulnes thairof, and that thay intreated for delay of tyme, onlie becaus thay wer asuredlie informed that from his maiestie a warrand wes alredie come to Scotland that no man shuld be processit or molestit for religioun. To which contemptuous speiches, the bishop sayed no more, bot that he wald clois vp the process with that thair saying, that all men might sie to what measure of insolence thay wer come, not onlie in contempning the kirk, bot in darring to speik so licentiouslie and audaciouslie of the Kingis maiesties procedings and government: and thairvpon ordanit the said Maister James Ross and his college, the nixt Lordis day, to pronunce the sentence of excommvnicatioun aganes thame.

25th August, 1622.

The quhilk day, according to the approbatioun gewin to this present proces be the Bishop of Aberdene, and directioun to the ministers to proceid, the sentence of excommvnicatioun wes pronuncit in both the kirkis of Aberdene aganes Thomas Mengyeis of Balgony, Robert Irvyng, sone to vmquhill Mr. Richard Irvyng, burges of Aberdene, Thomas Layng, goldsmyth there, Walter Leslie, and Elspett Leslie, relict of the said vmquhill Mr. Richard. And the sentence aganes the rest wes continewit, be advyse of the bishop, to sie gif possible they could be win from thair obstinance; and intimatioun maid publictlie out of pulpitt to the haill parochineris to accompt sa of thame, and caire sa towardis thame, vnder the payne of the censures of the kirk.

1st September, 1622.

The quhilk day, the sessioun, considdering the abuse laitlie croppin in within this burgh, in that it is come in custume that everie base servile man in the towne, when he hes a barne to be baptesed, invitis tuelff or

sextene persones to be his gossopes and godfatheris to his barne, whereas in former tymes, the custome wes to invite only tua godfatheris at the most, and be occasioun heirof, if it fall out that thair be ma bairnis to be baptezed at one tyme nor ane, thair can not be places gottin to the godfatheris to sitt vpon, besyds that sundrie vther incommoditeis and skaffries fallis out be this abuse, to the preiudice of dyvers honest men; for remeid quhairof, and tacking avay suche abuse heirefter, it is statute and ordanit be the magistrattis, ministeris, eldaris, and deaconis of the sessioun, that it shall not be lesume to any inhabitant within this burt quhasoever, to invite any ma persones to be godfatheris to thair barne in ony tyme cumming bot tua or four at the most, lyk as the kirk officier is expresslie commandit and prohibitt that from hence furth he tak vp no ma names to be godfatheris, nor giwe any ma vp to the redar bot four at the most, vnder all hiest censure he may incur be the contrarie, and this ordinance to be intimat out of pulpitt, that the people pretend no ignorance thairof.

20th April, 1623.

The sessioun grantis four s. weiklie to Issobell Volum, relict of Patrick Leslie, post, to keip hir from begging.

4th May, 1623.

Efter incalling of God, Walter Robertsoun, clerk, delyverit to Johne Cochrone, collectour, tuentie merks money, gewin to the poore be Hanes Hulstoun, merchand in Trailsound, becaus the said Hans wes exonerit be the towne of a bargane maid be him with the deane of gild, vpon the bying of a barkis laiding of sounds beir, with the quhilk tuentie merks the said Johne is ordanit to be chargit in his comptis.

28th November, 1630.

The said day, Margrat Dauidson, spous to Andro Adam, wes adjudget in ane wnlaw of fyve punds, to be payed to the collector for directing hir nwrish with hir bairne to Sanct Fiackes well, and washing the bairne thairin for recoverie of hir health, and the said Margrat and hir nwrish wer ordanit to acknowlege thair offence befoir the sessioun for thair fault, and for leaving ane offering in the well.

The samen day, it wes ordanit be the haill session in ane voce, that

quhatsumever inhabitant within this burgh beis fund going to Sanct Fiackes well in ane superstitious manner, for seiking health to thame selffis or bairnes, shall be censured in penaltie and repentance in such degrie as fornicatours ar efter tryall and conviction.

5th December, 1630.

The samen day, James Hall, cordonar, is ordainit to compeir befoir the pulpit, and thair, befoir God and the congregation, confes his fault, and crave pardoun for seiking of help and releiff of his feveres by charming, from ane callit [ ] Innes, and withall is injoynet to pay to the collectour twentie merks for the vse of the poor betwixt and Candlemes nixt.

22d April, 1638.

This day, [ ] Norie, spous to Thomas Hog, is ordanit, for hir scandalous behaviour in the kirk, and vttering imprecationis, to comper befoir the pulpet, this dey aucht deyes, and thair crave God and the congregation pardon for the said offence: and for that effect is ordanit to be committit to ward in the wault, or thair to redeim hir selff therfra, be peyment of ten merks to the collectour, for the vse of the poor.

20th May, 1638.

The session appoynted the collector to give four merks money presentlie to Thomas Cowye, sacristar, and ordaines the succeeding collectores to give the said Thomas four merkes yeirlie thairefter, for the space of four yeirs, extending to twentie merkes money in all; for the quhilk the said Thomas dispones to the collector, in name of the session, ane stellitour, with the two flaicks and brewing loomes, quhilk sometyme belongit to John Ingraham, servant to George Pacock, apothecar, to belong to the session in tyme comeing. Lykas the session hes lend the same bak again to the said John Ingraham, with condition if he put thame away, to be banisht the toun.

27th May, 1638.

This day, Alexander Jaffray, younger, being accuset be the moderator for the sin of fornicatioun with Christian Reid, on Sanct Catherines Hill,

and being suorne theron, purget him selff be wirtue of his aith from any carnall dealling with the said Christian and declared that he did onlie tuggell hir and no forder.

29th June, 1638.

The quhilk day, in presens of Mr. Robert Farquhar, ane of the baillies of this burgh, compered personallie Adam Dow in Caitnes, and confest &c. &c., and, becaus he wanted meanes to pay his penaltie, he delyvered his hewed plaid, with a rex dolour, to Gilbert Hervie, collector, in pledge of his penaltie of ten punds, to be payed betuix and the tuentie day of August.

12th August, 1638.

Mr. George Andersone is noted to haue bein absent from sermones this day, both befoir and efter noone.

19th August, 1638.

Mr. George Anderson, being warnit to this dey for brak of the Saboth, in not repairing to his paroche kirk and not heiring of sermones, and he not compirand, is ordanit to be warnit to compeir befoir the session this dey aucht deyes, *pro secundo*, with certification as effeiris; lykas, the said Mr. George is noted to haue bein absent this day also from sermones.

10th February, 1639.

The session grantes sex shillinges weiklie to Willeam Ansteruther, a poor student in the college of this brugh, for his pain takin in reading in the gild brethren's hospitall to the poore pople supported be the session, the first weiks payment beginning the morrow; quha, for this effect, is ordanit to be inrolled amongs the poor supported be the session in the ewin quarter.

10th November, 1639.

This day, James Dauidson, servant to Alexander Gordoun, wobster, being convict be the depositiones of sindrie famous witness, admitted, sworne, and examined, for speiking some injurious disdainfull words aganes Doctour Willeam Guild, and saying, *Dirt in Doctor Guildes teith*,

wes thairfoir ordanit to be putt in the jogges the morrow, and thairefter to be quheipet at the staik in the correctioun hous.

1st December, 1639.

The same day, Andro Young and Agnes Scherar, his dauchter in law, wer ordanit to come the nixt Saboth day, efter the foirnoone sermon, befoir the pulpet in the auld kirk, and thair crave God and the congregation pardon, for consulting with a socerer anent the cureing and charmeing of vmquhill Issobell Aiken, sometyme spouse to the said Andro.

2d February, 1640.

The session the same day, at the desyr, and wpon the petition gewin in to thame be Doctor Willeam Guild and Doctor James Sibbald, tua of the ministeris of this burgh, for causs knowen to the saids ministeres, and privie to thame onlie, grantis to the saids ministeres fourtie punds money, to be employed be thame wpon pious wses, as thay shall think gude.

17th May, 1640.

The sessioun this day, considdering the distres and povertie of Andro Meldrum of the Moore of Fyvie, who hes bein this long tym in ward within the wardhous of this burgh, grantis threttie tua penneis dailie to the said Andro, to continew with him for the space of a month fra the date heirof: certefeing the said Andro that the session will not bestow forder on him for his interteanement; quho, thairefter, is ordanit to hing out a purs at the wardhous window for his better help and support.

The same day, whereas, againes the decencie observet within all weill reformit churches, many inhabitantes of this brugh, both men and wemen, bringes with thame thair dogges to the paroche kirks on the Lords day, and wther dayes in the weik, in tyme of sermones and divyn service, whairthrow, and be the barking and perturbation of these dogges, the pople often ar withdrawin from heiring of Gods word, and often divyn service is interrupted, ane thing, as it is not comelie to be sein in the house of God, so it is not to be comported with in a

civil brugh; for removing of the quhilk abuse, the magistrates, ministeres, eldaris, and deacones of the kirk session of this brugh hes statute and ordanit, and be thir presentes statutes and ordaines, that no inhabitant whosoeuer within the samen suffer thair dogges, whether thay be mastives, curres, or messens, to follow thame heirefter to the paroche kirkes of this brugh on the Saboth day, nor no wther day in the weik, in tyme of sermones and public prayeris: certefeing all these persones whose dogges sall be sein and knowen in the saids kirkes the tymes forsaids, that thay and ilk ane of thame, efter tryall and conviction, sall pay to the collector of the kirk session of this brugh the sowme of fourtie shillinges Scotes money, for the vse of the poor, *toties quoties*, by and attour that it shall be lesome to the scourgeres to fell thair dogges. Quhilk ordinance is appoynted to be intimat to the inhabitantes of this brugh be the reidaris the nixt Lords day, in both the churches, that nane pretend ignorance heirof.

28th June, 1640.

The session wnderstanding that some capitanes and gentillmen of the regiment of sojours lying in this town, had tein some offence at the portrat of vmquhill Alexander Reid, sometyme of Petfoddells, as smelling somequhat of poprie, and standing aboue the session hous door, ffor removeing of the quhilk offence, ordaines the said portrat to be tein down and not to be sett wp again.

19th July, 1640.

Wheras the ministeres of this burgh often tymes heirtofoir hes bein withdrawin from thair studies be the importunities of sindrie nichtboures of the same brugh, who, whan thay ar to baptise bairnes, keipes not any ordinar hour nor dyett for that effect, bot some tyme in on day thay will caus the minister come four or fyve severall tymes to the kirk, and thairby distractes the ministeres from thair studies; thairfoir, and to the effect convenient tyme may be keipit in the churche for baptiseing of bairnes, and that the ministeres be not withdrawin from thair bookes be such distractiones heirafter, the magistrates, ministeres, eldaris, and deacones of the kirk-session of this brugh, hes statute and ordanit, and be thir presentes statutes and ordaines, all bairnes to be baptized, ather befoir or efter sermones on preiching dayes, and on wther dayes efter morning or

evening prayeres, and that no inhabitant of this brugh present thair bairnes to be baptised at no wther tyme.

19th May, 1651.

Issobell Lumsden, compeirand yesterday befoir the pulpit in sackcloath, confest hir resideing and dwelling with excommunicat papistis, craved God pardone for the said sinn, and promisit newer to fall in the lyk guiltines.

26th May, 1651.

George Morisone, youngar, burges of Aberdene, compeirand yesterday, being the Lordis day, befoir the pulpit in the old church, in sackcloath, confest his leud and wicked cariddge in railing agains the covenant and ministeris of Aberdene, his ordinarie drunkennes, and cursing and blaspheming the name of God; craves the Lord humblie pardone for the said guiltines and promised, by the grace of God, newer to fall in the lyk sines in tyme cumeing.

7th July, 1651.

Intimatioun wes maid out of the pulpitis of this burgh be the ministeres thairoff, that no inhabitant within the samen, of quhatsumewer qualitie, walk about the feilds, or repair in companies to the Castell Hill, on the Lords day, efter sermon, with certificatioun to be punishit as the sessioun sall think fit.

18th August, 1651.

Jean Barclay sharplie admonishit be the moderatour, in name of the sessioun, for goeing to the old toune on the Lordis day betuixt sermones.

25th August, 1651.

The quhich day, eftir intimation from pulpit, the sessioune convenit to receave all thair testimoniallis, and to delyuer them to the clerk, to be inrolled according to the ordour; bot eftir incalling of Godis name, it is fund that the clerk is absent, quho suld receave the testimoniallis, also some of the eldaris wer absent, wherfoir the sessioun superceidis that mater of the testimoniallis to the nixt ordinarie day; and haveing chosin

James Milne clerk for the tyme, a motioun being proponit of a fast to be keipit in this congregatioun the nixt Lordis day, in regard of the vnseasonable weather in the entrie of the harvest, the prevailing of the sectarian enimie in Scotland, to pray that the Lord wold bliss, preserue, and prosper our king in Ingland, and our armie thair, pardone them thair sines, mak them instrumentall for God, religioun, reformatioun, the work of vniformitie, the covenantis, and for advancing the king to just honors and greatnes, that he may be sett wpone all his thrones for the glorie of God, good of religioun, and the libertie of his oppresit subjectis; and seing wndir [ ] increasing sin is also still groveing, that we may be humbled befoir God for all our sines, of all sortis of people of all rankes, and that the Lord may turn away his wraith, beat downe the blasphemous perfideous enimie, vnit the Lordis people togidder in the treuth, save ws from suord and famine, and mak religioun and richteousness to kis on another with peac and trueth; and for the intimatioun of this fast it wes recomendit to the magistratis to intimat it by drum, that the samen fast may be solemnlie obseruit the nixt Lordis day, August 31.

29th September, 1651.

The sessioun ordaines Thomas Cowie, sacristar, to keip ane perfect registar of the buriallis in all tyme comeing.

27th October, 1651.

The sessioun ordainit that all thes quho sall happin to sitt on the publict place of repentance, to sit and thair face towards the congregation, without any plaid about them; bot thair discovered; quhairin, if they failzie and doe in the contrair, the minister nowayis to absolue nor speak any to them till they appeir the nixt day.

10th November, 1651.

No sessioun this day, in respect of the approach of the Inglish armie

17th November, 1651.

Sermon: Mr. Andrew Cant, Heb., cap. 6, verse 9; Mr. Jon Row, 1 Pet., cap. [ ] verses 8, 9, lect., Rom. 9: Mr. Jon Meingzies lector, cap. 9, verse 24.

Mr. Jon Row preached on the 13 cap. of Hosea, and haid finished

the whoell book, bot myndit not to preach wpone the fourteint cap. of the same, be reasone he haid preached elewin sermones on the said cap. sex yeiris agoe, efter ane fast.

29th December, 1651.

From ane Inglishman, for cursing and suearing, aucht shillinges sterling.

Mr. Johne Row gave in to the collectour ten pundis four s. aucht pennies, quhilk wes debursit be him for printing the bookis of the fast.

19th January, 1652.

No actis this day, in respect of the quartering of the Inglish armie that cam from the north.

26th January, 1652.

Yesterday, being the Lordis day, January 25, intimatioun wes maid from both pulpitis of this brughe the fearfull sentence of excommunication wes to be pronuncit against Sir Alexander Irvyng of Drum, knicht (be ordour of the presbitrie, being resident with his wholl familie within the said presbitrie,) the nixt Lordis day, being the first of Februarij nixt; becaus the kirk of Drumoak (quher the said Sir Alexander presentlie resides) is now vacand of ane minister, for the reasones and causes conteint in the presbitrie bookis, and to be conteint in the said act of excommunication.

And siclyk intimatioun wes maid from both pulpitis of this brughe be the ministers therof, that the foirsaid sentence of excommunicatione wes to be pronuncit against Paull Colinsone, and Mariorie Inglis, his spous, for thair apostacie and defectioun from the trew protestant reformed religioun, according to the Covenant.

22d March, 1652.

The sessioun gives warrand to the collector to give to the prisoneris at Dundie the sowme of fiftie merkis money, for thair better help and supplie.

9th August, 1652.

Mr. Johne Row and Thomas Melvill maid thair report anent the Laird of Petfoddellis, that his anser wes that he haid nothing to doe with them, and that [he had] given them thair anser long agoe.

The said day, the sessioun, all in ane woice, declairit Sir Gilbert Mengzies of Petfoddellis, knicht, contumacious, for his not appearing befoir the sessioun of Aberdene; to answer for his apostacie and defectioun from the trew protestant religioun.

6th September, 1652.

No sessioun, in respect of the quartering of the regimentis whan they returned from the Hielands.

8th November, 1652.

Followes the names of the elders and deacones of the paroch kirk of Aberdene, chosin wpone the aucht day of November, 1652, till Michaelmas nixt, be the sessioun of the preceiding yeir, and being inaugurat in the saidis offices wpone the tuentie nynt day of November, 1652, within the auld kirk of this brughe be Mr. Andro Cant, minister, eftir publict intimatioune of thair names maid out of both pulpites of this brughe wpone the fyfteint day of November last, if any of the congregatione haid ought to say against them, why they suld not be admittit to the saids offices; quhilkis persones compeirand yesterday, being the Lordis day, befoir the pulpit in the old kirk, and no opposition being maid, they wer all admittit to the saidis offices respectiue. Lykas they acceptit the samen in and wpone them, and did hold wp thair handis, and gave thair oathes *de fideli administratione* in the saidis officies.

17th Januarij, 1653.

The sessioun, taking to consideratioun the great abuse committit be Johne Donaldsone, yor., in face of sessioun, did superceid any censour agains him till they suld advyse with the presbitrie.

31st January, 1653.

The sessioun ordanit the haill elderis and deacones to meit in the

sessioun hous on Thursday nixt, and ordanit the act anent the celebratioun of the communione to be registrat in the sessioun book, quherof the tennour followes: Forsameikle as the sessioune tacking to thair consideratioune how pressing a duetie it is lying upon them, and how necessarie for the comfort of the Lordis people, that some speedie and effectuall course may be tacken be them for administratioune of the Lordis Supper, especially seing it hes bein wanting heer for a longe tyme, be reason of manie difficulties occurreing in the place; and haueing haid a frequent meeting of the wholl sessioune, and spent the most pairt of a day in seiking the Lord, for his directioune to ordore them aright, and helpe them to fall upone the most spedie, faiceable. and warrantable way for celebrating that most holie ordinance, as they might winn to for the present: and findeing thair was no possibilitie imaginable for them for ane exact examinatioune of the wholl respectiue famelies in the toune, and haueing but one minister for the tyme. aged and sickelie, who hath the wholl burden of examinatioune of parents whose children are to be baptized, mariages, discipline, and tuyse preaching weekelie, yett being most desirous that such a refreshing ordinance should not anie longer be withholden from those who (for any thing knowen to them,) might warrantablie be admitted thairto. they, thairfor, unanimouslie, all in ane voice, finds and concludes that the speediest way for effectuating that so necessarie a duetie is, that the nixt Lordis day, being the [ ] day of Februar, Mr. Andro Cant. minister, shall intimat and publishe from pulpitt in the old churche, in the forenoone, and in the new kirke, in the after noone, the sessiounes mynde to that purpose, that is to say: That all personnes, quho findes ane earnest desire and hes ane hunger after Christ to participate of that most holie ordinance, and are content to offer thameselffes to be tryed by the minister and elders anent thair knowledge in the misteries of Christianitie, and if thair conversatioune be such as becometh the gospell, being blameles thairin, so far as can be knowen (and none elss), are heirby desyred to repaire to the old churche upone such dayes and such houres as the said Mr. Andro shall appoint to them, ewerie quarter of the towne as thai sall be called, whair the minister and elders sall attende such as thus offer themselffes to the effect forsaid, and such as are found to be thus qualified after tryall are to expect toakens before the first day of the celebratione

of the communioune, at least before the seconde: earnestlie requesting heirby, and intreating in all lowe and meekenes, that all such persones who are ignorant of the misteries off Christianitie, or are scandelous in thair conversatioune, not being such as becomes the gospell or professores theroff, doe forbeare to offer or present themselffes to tryall. seeing the sessione resolues (as the Lord sall helpe them impartiallie to discerne,) to admitt none quhomsoewer to the Lordis most holie table that are such, being fullie convinced that this is, and hath bein, one of the manie sinnes for quhich the Lord is contending with this natioune; and if. throw indulgence or negligence, they should yet continew in so hie a provocatioune, to be partackers of other mennes sinnes, they could not looke but to be maid partackers of all those judgements denunced in Gods worde againes those who are guiltie of Christes blood, not knoweing how to discerne the Lordis bodie: Butt that the congregatioune may particularlie knowe whom the sessione cannot admitt, they doe earnestlie intreatt, that no personnes quhosoewer that are knowen to be scandelous in these thinges followeing, will offer themselffes to tryall at this tyme: That is to say, all such who are guiltie of grosse ignorance, atheisme, denying God plainlie by ther words, ther lyffe, and conversatioune, all who are mockers off pietie, rewylers, railers, contemners of ordinances, carelesly neglecting off them, when they are not witholden by anie necessary bussienes from them, ordinarie sleepers in tyme of sermon, though they be strong and healthie personnes, such as make no conscience of prayer and other duties with thair families, and all superstitious and meer formall personnes that can not pray if they doe it not in the kirke, and regarders of superstitious dayes, blaspheimers, sweerers that in ther ordinarie discourse sweers by the holie name of God, faith, and conscience. and such lyke, all Sabboth brackeris that macks no conscience to serue the Lord in their famielies wpone his hole day, but are wagers abroad or spenders of the tyme in worldlie and improffitable discourse, disobedient to parents, murtherers, and all that hes anie malice againes ther neighboures, adulterers, fornicatores, or any who are vnder anie scandelous sin and yet not cleared, drunkards or ordinarie tiplers in tauernes without anie laufull occasiounes or expediencie, ordinarie haunters with profane and dissolute personnes without anie relatioune or ordinarie bussienes, theifes, deceauers, cheeters, lyares, backbyters, perjured personnes, malignants, haters of the worke of reformatioune, and suchlyke: bot if anie

of these personnes thus guiltie sall ingenouslie, and with a broken and penitent heart, confesse and acknowledge this ther knowen guiltiness, and giwe such evidence of ther heartie sorrowe thairfore, withall professing ane sincere resolutioune throwe the Lords grace, to amende and forsacke such wayes, so that the eldaris may, in judgement of Christiane charitie, declair such personnes truelie penitent; and if they sall be found qualified in the knowledge of the grounds of Christiane religioune, they finde themselffes obleist to withhold no ordinance of Jesus Christ from such, after due tryall that they are qualified, with knowledge and repentance as said is.

28th March, 1653.

Item, Given to the collector be Robert Burnet, that he receavit from Collonell Aschfeild, thrie punds that he causit ane sojer pay for his drunkenness.

14th November, 1653.

Alexander Gordoun, servant to Petfoddellis, being sumondit tuys abefoir to compeir befoir the sessioun of Abirdein, to give ane accompt of his professioun, and being demandit whairfoir he did not compeir sooner, he anserit if it haid not bein to hold in the offiris paines, he had not compeirit now, nor at all; and being demandit if he did acknowledge ws to be ane judicatorie, he anserit wnles we wes authorized be the comon wealth; and being demandit againe if he wes of our professioun, he anserit he cam not to give ane acquittance, and all the wholl tyme he carried himselff vncivillie and wpbraidinglie, thanking God that the tymes wer not as formerlie; in respect wheroff, the sessioun ordained the said Alexander to be sumondit to the presbitrie the 24th Nouember.

9th January, 1654.

Jhonne Keannie, baxter, was this day sharpelie rebuked befor the sessioune be the moderator for careing pyes one Yooldey. He promised newir to baike pyes for Yuilday, nor to carie anie that day throwe the streates in tyme comeing, with certificatioune, &c.

20th March, 1654.

Yesterday, James Robertsoune, younger, and Alexander Gordoune,

servitor to Pitfoddells, ware both excommunicat with the greater sentance, in the old churche, be Mr. Andro Cant, minister, for thair poperie and apostasie from the true Protestant religioune, formerlie professed be them.

27th March, 1654.

Thomas Maine compearit this day, and enacted himself that he should frequent sermones; and, in respect that the said Thomas declaired befor the sessioune that he would newer heare Mr. Andro Cant preache, becaus he haid excommunicat his sonne, the sessioune thairfore appointed him to keepe the new kirk in the forenoone, and the old kirke in the efternoone, that he might haue no pretence of excuse why he did not frequent the ordinances; and the said Thomas vndertooke so to doe.

The said day, compeared Jhonne Sheepherd, post, and became inacted and obleist that he should not be founde at anie tyme drunke vpon the streates heereftere, or absent himself from the churche one the Lordis day, or be heard curseing or sweiring at anie tyme, or trawell one the Lordis day, vnles it ware in matteris of necessitie; and, if he failyied in the premisses, or anie pairt therof, he was content of his owne consent to be sumarlie excomunicat, the fact being maid out against him.

Nota.—The sessioune mett the 13 of June, and enacted ane act agains the counsells nominatioun of Mr. Jhon Paterson to be minister at Aberdein, quhilk, being forgotten in this place, is registrat vpon the 10 of Jully next.

10th Julij, 1654.

The said day, the sessioune, considdering howe hughlie God is provocked by the frequent committing of the abhorrable sin of fornicatioune in this place, quhich is come to so great a height throw the lousenes of tyme, that it cannot but presage some great judgment in this citie; and, findeing thameselffes bounde in duetie, by all meanes possible, to prevent the samen so far as they can, they haue, therfor, inacted, and heirby inactes, that quhatsumewir person or personnes, man or womane, within this citie, sall be founde guiltie of the forsaid

sine of fornicatioun, vpon the notarietie of the fact, aither be confessione or otherwayes, sall be sumarlie excommunicat with excommunicatione the lessor, vpon the next Lordis day, after the thinge is maid evident, without any proces: provideing that, in caice anie such personne sal be founde throughlie senceable of thair sin and truelie weighted with it, then the sessioune, as they finde just matter, may speake with such personnes, and admitt them in publict, without anie sentence.

Followes the tennor of ane act of the sessioune, maid be them vpone the thritteint day of Junij last by past, againest the magestrates and councell ther nominatione of Mr. Jhonne Patersone, minister at Ellon, to be minister at Aberdein, quhilk, being forgotten to be inserted in the due place, is inserted heere, as followes: The said day, the ministers, elderes, and deaconnes of the kirk sessioune of Abeirdeine, being conveinit in the sessioune house theroff at ther ordinarie place of meeting, consulting of ther duetie in ordore to the pretendit nominatioune, electioune, and calling of Mr. Jhonne Patersonne, minister at Ellone, to be an minister at Aberdeine, whose nominatioun and call as flowe from ane part of the magistrates, counsell, and people of the said brughe, after incalling vpon the name of God, they founde that, according to the lawes of this natioune, acts and constitutioune of the Kirk of Scotlande, since anno 1649, and the constant practice generally observitt bothe in brughe, in land, that the sessioune aucht to haue, and hes haid, ane speciall interest with the people in the nominatioune, calling, and electing of ther ministers; and that in this late practice, in ordore to the nominatioune and electioune of the said Mr. Jhonne Patersone, the sessioune haueing beine so far neglected by the nominators and electores, that thay ware newir so much as once acquanted as a sessione, ather with anie lait or from anie lait, to be ane minister at Aberdeine; but, one the contrarie, the nominatores and electores publictlie disclaimed them as haueing power or interest in that thinge, and, by themselffis, did let ministers, and nominated and elected the said Mr. Jhon Paterson from ther lait to be ther minister, newir once acquainting the sessioune with anie such thinge, notwithstanding, not onelie sundrie of the magistrats, counsell, and people of the toune evidences ther dissatisfactioun to the thinge, and disasented therfrom:

but also it was sufficiently knowen to them the sessiounes earnest desire that the vacand places heer should be speedile provyded with honest and able ministers fitt to the place: in consideratioune quheroff, the sessioune of Aberdeine haue founde that thay could not be anserable to the trust put vpon them, in relatioune to ther duetie in ther present functione, if they should not testifie against, and dissasent from, the legall and inordarlie way of the present electioune and call of the said Mr. Jhonne Patersonne to be ane minister of Aberdeine, and, thairfore, the ministers, elders, and deaconnes of the said kirk sessioun of Aberdeine doeth heirby vnanimouslie dissasent frome the electioune of the said Mr. Jhonne Patersone to be minister at Aberdeine, vpone anie call yet giuen, not [only] in regardes of the informalitie therof, and for the preservatione of thair owne and ther successors interest in the thinge, as actes of Parliaments and Generall Assemblies provides, bot also for the inexpediencie of the thinge it selffe, as being nowayes fit nor convenient for the good of this place for the tyme, for graue reasones vnderstood to them, quhilk they thought fitt to forbere at present, not doubting but the reverend Prisbitrie of Aberdene, to quhom the actes and constitutiounes of this churches is well knowen, will, from quhat is said, finde sufficient grounde to them to obstruct the said Mr. Jhone his transplantatioune to this place. And, thairfore, the said sessioun haue represented thir presents to the prisbitrie for that effect, not intending to wronge anie who are concerned, bot to witness thair affectiounes to the laudable acts and constitutiounes of this church, and practicess of the samen anserable thairvnto, and that none who should succeed thame should haue occasioune to blot there names with negligent silence in such a caice. And thairfore haue enacted thir presentis as ane act of our sessione; and ordaines the samen to be enacted in our sessioun booke, to be extracted be our clerke as neid shall require.

21st August, 1654.

Margaret Robertsone, cited to this day, callit, compeared not; and, in regarde that shee contemptuously refused to obey the citatioune quhen shee was cited, but hes gone to the Mairnes to be maryed with ane excommunicat deposit minister, the sessioun thairfore concluded that shee should be excommunicat with the greater sentance herself.

15th January, 1655.

Compearit John Farquhar, and was appointed to meet with certaine elders in Mr. Andro Cants chamber one Thursday next, to informe anent his professione: the eldars are to report quhat they finde of him the next day.

29th January, 1655.

Report was maid anent Jhonne Farquhar, that he haid mett with the minister and elders one Thuirsday last, and that he being desyred be them to purge the scandle of poperie he wes vnder by subscryveing the negative confessione, he answeered he was no Papist, and was not holden to subscryve anie thinge: The sessioune order him to be cited to the next day himselff befor them.

5th February, 1655.

Jhonne Farquhar being summonded to this day for the reasones aboue written, compeared and solemnlie deponed that he was neather in judgment nor practice a Papist, nor did ever heare a messe in Scotland, and when he heard anie out of the countrie, it was only out of curiositie, nowayes favoureing the thinge; and did ingadge himselff that, by the grace of God, his practice in tyme comeing in attending ordinances and the worship of God in publict and private, should evidence that he was speakeing the trueth; in respect quherof the sessione desisted frome anie furder proces against him, and dismist him with ane grawe admonitione.

12th February, 1655.

The said day, compeared Patrick Whyte, and humblie acknowledgit his miscariage in the church one the Lords dey, the fourt of February, in his rashe, wicked, and foolishe expressiones, saying that he caired not for the sentance of excommunicatioune the less, and professed himselff truelie penitent for his said miscariage: the sessione therfore ordaines him to appear befor the pulpit the next Lords day, to sitt bareheaded in tyme of sermone, and eftir publictlie to confesse his sinfull and foolishe speaches, and howe justlie he was sentenced; and in regarde of his foolishe spiritt, the sessioune thought good not to put anie furder censur vpon him.

Forsameikle as certaine personnes within the cite being suspect of poperie and dishaunters of ordinances, affirme, quhen they or anie of them are inquyred after, that they keepe the new kirke: the sessioune, thairfore, ordaines that one of thair number sall keepe the new kirke Sabbathlie thair, day about, to see if such personnes keep the said church as they alledge.

19th February, 1655.

The said day, Georg Meldrum reported that he haid atendit the new yesterday, beeing the Lords day, and did see none of the personnes suspect of poperie or dishaunters of ordinances in the said church, except William Andersonne and Thomas Moncur in the forenoone, and none at all after noon. Walter Melwill appointed to attend the next day.

12th March, 1655.

The said day, the sessioune redde ane papper from certaine of the magistrattes protesting agains the sessiounes act anent the comunioune, quhilk is appointed to be seine and ansered; the sessioun haueing considdered the aforesaid act, they appoint the sameine, with ane anser to be maid thervnto, to be registrat in the session booke; off the quhilk protestatioune and anser maid vnto the samene, the tennor followes:—

Att Aberdein, the tent day of March, ja jv jc and feftie-fyve years, in presence of the provost, bailies, counsell, certaine of the brethrene of gild, deacones of the craftes, and others of the craftes conveinit for the tyme: the said day, the personnes nominate be the counsell and the nightboures conveinit for the tyme, be vertue of ther act, of the dait the thrid day of Marche instant, to draw vp the disassent frome and protestatioune agains the innovations introducit be Mr. Andro Cant, did present ane draught to the counsell and remanent personnes conveenit: quhich, being tuyce publictlie red, was approueine be the haill meeting, all in ane voice declaireing they would adhere to the samenne, and was ordanit to be subscryveit be the provost and tuo present bailies, in the name of the rest of the meeting, and to be registrat in the counsell buiks, and ane extract thairoff delyuerit to the personnes nominat the said thrid day of Marche, for presenting and prosecuting the same, in manner therein exprest, of the which draught the tenor followes: We, the provost, bailies, counsell of the brughe of Aberdeine, and common-

tie therof adherent to ws, whairas Mr. Andro Cant (quho thir diuerse yeares bygane hes beene our minister), and hes profest, and constantlie does profes, that he does adheer to the Presbyterian way, and to the doctrine, discipline, and government of the Church of Scotland, hath of lait brought into this incorporation and citie certaine innovationnes and dangerous practices, and especially one relating to the sacrament of the Lords Supper, whairby, vnder pretence of eschewing of promiscuous communioune, he hath falleine vpone ane way, that none sall be admitted to the holie communione except only such who in ane Pharisaicall way most offer themselffs to be tryit be him, and thes whom he calls his elderis, so that all others, tho, without questioune, members of the congregatioun, albeit neather groselie ignorant, nor declairit scandellous, who sall be laid by vpone thair private verdict and inquest and judgment of charitie, as thay call it, are to bee debarrit from the comfort of these holie misteries, and none admittit but such as they sall pronounce blameles (in so far as can be knowenne, and none else), which, as it is ane practice vnwarrantable by anie lawe or constitutioune of this churche, and being ane mater of so hie concernement, is far aboue the power and authoritie of anie private sessioune or minister, albeit newer so full and rightelie constitute, so wee looke vponne the samenne as a cleare innovatioune and practicall separatioune, tending to gather some fewe out of this incorporatioune as onelie thought be them worthie to be admittit members of this congregatioun; and that all others, who out of conscience cannot give way to this innovatioune, sall in so farr as in them lyes, be holdinne as no members of this churche, beeing debarrit, as said is, from participating of the sealling ordinances quhich are the cheefest priviledge of ane church member; and all means possible that are incumbent vponne ane Christiane people and magistratts of ane Christiane incorporatioune, haueing beene vsit for makeing him sensible of this dangerous schisme and divisioune made be him, and for persuadeing him to forbeare anie such practices, and haueing mett with nothing but ane strong resolutione to persist in his way: wee sall not complaine of his vnduetifull and vncivill cariage too, and expressiounes againis. the magistratts and others in place. Wee, out of sense of the charge lying vpon vs, least this present generatioune and posteritie should justly challenge vs, that wee in our tyme haue sufferit such ane snare and slandere to be brought wponne the Lords people, hawe founde it necessar to de-

clair and make manifest to all that may be concernit, that as wee are far from countenanceing anie profane or promiscuus mixtures at such sacred ordinance, and sal be heartielie willing, and cordiallie concurre, that all personns groslie ignorant, and openelie scandelous, and declairit to be so in anie ordinarie and approveine way, bee debarrit from haueing acces to these holie misteris; and as wee sall be far from beeing so rude and vnanserable to our statiounes as to offer anie violence to the said Mr. Andro, or anie that will adheere to him in this way of separatioune, haueing ane honorable and Christiane respect to anie tho of ane different judgment, who shall, without disturbance, practice or profess with sobrietie, according to thair light and knowledge; so we conceaue the lyke libertie to bee allowitt to ws, from the power the Lord hes set ower this commonewealthe, to injoy, and not to suffer ourselffes to bee drawenne away frome, the good old way so purelie manteaned and vniversallie practiced these manie yeares bygane in this churche and natioune: And, thairfore, wee declair our dissasent frome the said innovatioune and practice introducit, or to bee introducit, be the said Mr. Andrew, in debarring anie from being partackers of that sacrament who are unquestionablie members of this congregatioun, and not declairit groselie ignorant or convict of scandle in anie ordinarie and approovene way; as also our disassent from anie other innovatioune in doctrine, discipline, worshipe, or administratioune of the sacraments introducit, or to be introducit, without warrand frome authoritie or consent of the congregatioun, and that, as wee conceaue the said Mr. Andrew, or anie who sall adheere to him, in so far as they sall practise the forsaids innovations, are in ane practicall separatioune frome this congregatioune, and that wee haue libertie with sobrietie to hold furth, practice, and profes, according to our light and knowledge, conforme to the worde of God, doctrine, and governement of this churche and natioune, without beeing disturbit by him or his adherents, by imposeing vponne our consciences, or anie other way hendering us in the free exercise of our faithe, worshipe, or participateing of the sacraments; and as wee doe heerby declair our dislyke of, and disassent frome, the saids innovatiounes, so wee doe protest for us, and such as adheere to us, that we are, and, in all tyme comeing, sall be, holdeinne as free and saffe from all censures, dangers, hazards, and inconvenientes that may result from the said Mr. Andro or anie of his adherents, in

relatioune to the saids innovatiounes, throughe pretence of anie authoritie, power, or jurisdictioune of his, or his adherentis, which wee, be thir presents, doe disclame, and, as to us ward, do protest that the samenne be null, and of no force, strengthe, nor effect, and that we may injoy our libertie to profes and practice in manner aboue written, and that it sall be lawfull to ws, when tyme and occasioune serves, to elect and choose ministers and sessioune, to practise according to the ancient forme of this church and our judgements, and so it is subscryvit. Georg Morisonne, provest, be ordour of the councell, Thomas Mortimer, bailie, Patrick Moir, bailye. Followes the anser to the forsaid protestatioune: The said day, the sessioune of Aberdene, tacking to thair consideratioune a paper presentit to them by certaine of the magistrattes, and other nieghbures in the citie, commissionat by the counsell for that effect, and findeing in the said paper manie strange, vnexpected, and groundles challenges laid vponne the minister and sessioune by the contryvers thairof and consenters thairto, they finde that they can neather be anserable to God nor thair own consciences, nor faithfull to the trust committed to them, if they should not giue ane free, plaine, and tymous warneing to the people, not onelie for preventing the ewills and dangerous consequences that inevitablie most followe vpone such ane vnparallelled practice, as is held furthe in the paper, bot also to obviat and cleare, befor the Lord and all vnprejudiced christians in the place, and to whose knowledge the thing may come, how vnjustlie the paper challanges both minister and elders as innovattors and inbringers of dangerous practices vponne people in the citie. As first, whairas the minister and sessioun ar challenged for innovators, quhilk sal be cleared to be otherwise, in it awine place, they finde just reasonne to say: Searche all the records of the natioune, aske at your forefathers, and see if ewer such ane innovatioune was heard of, since ther was ane reformed churche in Scotland, as this, that magistrattes by ane act of thair councell should disclame the minister and elders quhilk the Lorde hath sett ower the congregatioun, being laufullie called in ane ordourlie way, and thair electioune maid according to the acts and constitutiounes of this churche, quhilk is offered to be maid out in due tyme befor ane competent judicatorie.

Secondelie, quhich is yet worse, the paper containes grosse eras-

tianisme, and fearfull incroachments vpone the liberteis of the Churche of Jesus Christ, for what greater incroachment can be vponne the liberteis of Christs Church then for magistrattes, by ane judiciall act of counsel, not onelie to condemne ane laufullie constitute church judicatorie as innovattores in the administratioune of spirituall ordinances, bot also to declair the judicatorie void and null, and that without the sentence of ane ecclesiasticke court or addresse to them, quhich wee hope church judicatories will carefullie look into, for it is *causa communis*.

Thridlie, The paper opens ane doore to all atheisme and licentiousnes, for if magistratts sall at thair pleasure condemne and nullifie laufull churche judicatories, without aither accuseing or heareing of them befor the judge competent, thene anie atheist or prophane personne whatsoewir, vponne conceavit prejudice or discontent, may shake off all churche governement and discipline, and declyne and despise all churche judicatories, so that they mey walk in all excesse and ryot without anie challenge or controllment, quhilk is verie far contrarie, not onelie to the holie scriptures, as is knowen to all acquanted thairwith, but also to the manie laudable acts of this churche.

Fourthlie, It enervattes all church discipline, for if the magistratts haid anie thinge quherof they could justlie accuse the sessioune, or anie member thairoff, haid they not superiore churche judicatories to maike thair addresse to, and enter thair complaints befor, againest the haill sessioune, or anie particular act of thairs, if grounde hade beene thairfore; but the caice is harde heer, quhen they both accuse and judge, and so, according to thair practize, church judicatories will be turned to ciphers, if magistratts sall at thair pleasure declaire them woid and disclame them.

Fyfthlie, The paper is inductive to ane vnavoidable confusioun: what can thair be but dismall confusione, if, according to the purpose of the paper, tuo collaterall sessiones of different rises sall be set up in one toune and one congregatioun, to jusle one with another, quher neuir any befor but one, quhilk might produce verie sad effects; and therfore it is earnestlie wished that the contryvers of, and consenters to, the paper would examine, first, whether ane act of counsell can impower them to choice ane

new sessioune? Secondlie, if ane new session can be chosen till the old be layde aside be ane competent judge? Thirdlie, if aither new minister or elders can be brought into the place without the consent of present incumbents? Itt is hoped that sobber men, professing to adhere to the principalls of this church, will not adventure vpon such attempts.

Sextlie, The paper tends to the obstructing of the worke of God and promooveing the gospell in the place: for vnder the pretence of dissenting from sume pretendit innovatiounes, the designe of the paper would appeare to be, aither to haue the holie ordinance of the Lords supper whollie laid aside, or at least so gone about, as it could not be but prophaned and polluted by the admissioune of a scandelous multitude, whose conversatiounes are so contrarie to and vnbeseeming professors of the gospell, that (pitie it is,) ther need not anie judiciall convicting of them, for thair verie works condemnes them, not onelie befor the Lord, but also befor all who desires to keepe themselwes through his grace vnspotted, and to walke with him in all godlienes and honestie, and it might proove verie comforeteles to all that fears God in this place, to want the benefite of such a refresheing ordinance, till such tyme as all the ignorant and scandelous personnes in Aberdein should be judiciallie conveened and convicted of thair ignorance and scandle, and processed and censured accordinglie.

Sewintlie, The paper presadges dreadfull wrathe to the place if the Lord mercifullie prevent not: It was the Lords great contraversie with his ancient people, that they ware stryvers with, contenders agains, and perseeuters of, his most faithfull servands; the scripture manie tyme accuses them of that sin; manie threatnings are pronounced agains them, and sad judgments fell vpone them for it; yea, Christ himselff vpbraids them in ane eminent way with it. It seemes the Lord may challange manie in this place with that guiltines, when he who thir manie years hes beine painfullie labouring amongs the people, and doeing good to manie soulles throw the Lords blessing, now quhen he shold be reapeing the sweet fruit of his laboures, he and his ministrie is publictlie disowned and disclaimed, and factiones raised vp and incensed agains him, and rulers turning thair backe and fleeing his ministrie.

Aughtlie, Not to adde anie furder to the ewills held furthe in the paper. it is exceeding strange quhen the authores of it, and consenters to it, are pretending dewtie to prevent snares and slaverie to be brought vppone the Lords people in this place, they are doing nothing els but draueing them vnder snares, and bringing them vnder the basest slaverie of anie; for quhat greater snare can bee imagined to bee brought vpone the Lords people then that they shall bee stirrd vp and mooved to disowenne and disclame thair faithfull pastor, whose greatest desire is that they may be all the Lords people. And als the church judicatorie, in the place who are als lautullie called as anie others before them, and who hes endewored. as the Lord gaue them strength, to doe thair duetie for serveing of the Lord and the people in the place, neather did they aither intende it as a snare or slaverie to anie, to invite all that feares the Lord, and desires to haue a communioune, to come and present themselffs to ane ordinary way of tryall as to thair knowledge and gospel lyke conversatioun; nor doe they think that anie who are not in some measure conscious to themselffs aither of thair insufficiencie in the matter of thair knowledge or Christiane walkeing, or at least prepossessed with some prejudice one other accompts. will judge it aither ane innovatioune, snare, or slaverie. And, thairfore. it is earnestlie wished that the authors of the paper wold seriouslie, as in the sight of the Lord, examine who indeed is insnaring and bringing in slaverie vpon the Lords people: They that are indevoreing to haue thair interest in the Lord maid sure, will examine it and finde quher the roott of the matter is.

In the second place, it is desyred that notice may be tackeine how that the paper is full of vnjust apersiounes laid vponne the minister and sessioune (quheroff onelie a few sall be hinted at and ansered), in calling them innovattors, practicall separatists, schesmaticks, mackers of divisioune, insnareing of and draueing slaverie vponne the Lords people, and backslyders from the guid old way, and also vpbraideing others who offer themselffs to a communioune, out of conscience, as Pharisaicall persones.

First, quher they accusse the sessioune of bringing in dangerous innovatiounes, it is earnestlie wished that the authores of the paper could

als easeelie vindicat thameselffes from that imputatoune as thes can doe on quhom they charge it. Is it ane innovatioune to celebrat the sacrament of the Lords supper, or is it a novatioune that, when so long tyme is tackenne for exammeing som quarters of the toune (one pastore onlie beeing in the place for this charge), quhen all cannot be overtackenn, to demande quho haue ane earnest desire after the comunion, and vpone what grounde, and thairvponne to try such as doe desire, not by one, but by the eldershipe or a sessioun; or is it a novatioune that none should be admitted to that holie ordinance but thes that haue a competent measure of knowledge, and walke vnblameable, so far as can be seene, as becometh the gospell; or is it ane novatioune that minister and elders should cognosce both one the knowledge and conversatioune of the people that ar to bee admitted to this ordinance. Thes are all the innovatiounes that is or can be charged vponne the minister or sessioune, who offers to proove from scripture, antiquitie, confessiones of fayth in all reformed churches, and acts of our owne Generall Assemblies, that these things haue alwise bene acknowledged for dueties, and laid doune for rules. It is true, godlie ministers and professors, thir manie years bygane, haue beine groaneing that our practices ware so far short of our rules; and, thairfore, if the Lord wold helpe us who are now challenged to innovate former practices, and bringe them vp to ancient rules, wee would judge it our mercie, our honour, and ane innocent innovatioune; and wee think, if the paper be rightlie examined, thair sall be als much strictnes founde in it in relatioune to admitting personnes to the aforsaid sacrament, as ewir the minister and sessioune haue requyrit, vnles thair be some other sense put vpone thair words then is desyrit to be put vponne them by us.

Secondlie, they charge us as practicall separatists; but this challange may be more justlie retorted vpone themselffs, who, without anie just cause or precedent, are separating from thair minister and elders: for us, wee desire to separate in the Churche the precious from the wile, tho not from the Churche, in which respect wee are not ashamed to be called practicall separatists. Wee doe not disowenne all as churche members quhom wee doe not admitt to the sacrament of the Lords Supper; we preache the worde to all, thair childeren are baptized, them-

selffes catechised, so far as possibelie can be reached, and discipline is exercised over all. Indeed, wee should dishonour God and pollute his holie ordinance, hardenne the wicked, and offende the godlie, and sin agains the generatioune of the righteous, if wee should prostrat that most precious pearle to ewerie one that hathe no grace in some measure to discerne it nor the Lords bodie there.

The thrid challange is als groundles as the former, namely, that wee depryve men from the communione vpon our privat verdict and inquest: quheras wee doe debarr none who doe present themselffes to be examined and tryed but vpone judiciall tryall; and we appoint ewerie elder in thair owne precincts to intimate to ewerie one quhome wee seclude, a just and relivant reasonne why they aucht not to bee admittit to that ordinance, that they may mende thair fault; but it is strange that wee most, in a way of publict proces, convince and judge at the verie first, and not wait for a letter from them, quhilk happilie the admonitioune may bringe foorthe without anie furder proces agains them; and quheras anie are bashfull and afraide to offer themselffs, wee trust that the Lord hathe giuenne and sall giue such discretioun to vs, as to shewe pittie and compassioun to such as these, and to deall verie tenderlie with them. And as the authores of the paper are guilty of the former aspersiounes quhilk they vnjustlie throwe vponne vs, so of this in a hie measure, for they haue, indeed, vponne ther private inquest and verdict, condemned bothe minister and sessioune by themselffs without applicatioune to anie church judicatorie, thair onlie competent judge as is formerlie touched.

But, Fourthlie, It is not enoughe to the authors of the paper not onlie to asperse minister and elders, but also they vpbraid all quho offer themselffs to a communioune as pharisaicall: They judge it pharisaicall to desire to partacke of the sacrament of the Lords Supper: they may, on the same accompt, condemne these Jewes who came to Jerusalem at the command of Hezekiah to keepe the Passover, and offered themselffs, wheras manie other did mocke and dispise the matter; and Christ also as pharisaicall for offering himselff to Johnne to bee baptized. It looks, indeed, pharisaicall lyke one the pairt, of those who thinke themselffs too good to desire that sacrament, and to evidence the truethe of thair desire by presenting themselffs to tryall; but since they will not doe so, it is ane verie

poor way to cast the odium of pharisasim vponne thos who, in the simplicitie and honestie of thair hearts, doe offer themselffs, tho they bee not cleanzed according to the purificatioune of the sanctuary; wee sall leaue it to bee considdered if such walke not rather in ther pharisaicall steppes. to quhom Christ said, they will neather enter the kingdome of God themselffes. nor suffer others to enter.

Lastlie, Not to rape vp more, nor spende tyme in ansering the other frievolous aspersiounes containit in the paper, wee earnestlie desire all, bothe magistrattes and people, in the fear of the Lord, to considder these followeing particulares: As first, The dreadfull wrathe that hes come from the Lord vponne those quho haue fallenne vponne such attempts; remember the vengeance that came vppone Coreh and his adherents, wpon Uzziah the king for streatching himselff beyond his lyne, yea, vppone Miriam herselff; the Lord keepe us from wisheing the like to anie, but are not these set up by the Lord for beakens and examples for them that liue in after ages? 2° Considder quhat comfort will bee funde in this course in the houre of deathe: yee may please yourselffs for the present, but wee dare boldlie say it will be found bitternes in the end, for ye are not opposeing yourselffs to men but to God in this busienes. 3° Considder what terrible characters God hes put vppone magistratts that haue by thair authoritie and ordinances insnared the people. It is ane fearfull note that is put vpon sundrie magistrattes in the Old Testament for miscarieing of the people, and the people are sharplie threatened and heavielie plagued for giueing obedience to them, as could easielie be held foorthe from the scripture. 4° Examine what spirite hath layde you furthe to this worke, if it be not inveterat personall prejudices againes them who would willinglie spende and be spent for the good of your soulles. 5° Considder iff the hand of Joab be not in this matter, if Popishe spirits and freinds to and familiar conversants with excommunicat personnes, be not amongs the manie stiklers who would glaidelie see us all in a confusioune, and verie prophane personnes, haters of the servants of God with ane invetered and implacable hatred. 6° Reflect vppone the manner how this busienes hes been contryved, quither thair hes beene more gyneing or praying at the hatching of it, wee doe appeall to thair consciences if ewir they did or durst seek God for his assistance in this worke who did con-

tryue it, quhat blessing then can be expected frome God vponne it. 7° Iff yee haue anie tendernes to such as fear the Lord in this place, remember that worde of Christ, Woe to them by quhome offence is come, &c. And does not this worke greewe the spirits of all that desire to macke more conscience of thair wayes then others doe in the place: wee hope there is said als muche as will deterre all sobber people from goeing alonge with this sinfull, disorderlie, and vnparalelled dangerous practice; but if anie will refuse to tacke warning, wee tacke God, angells, and men to witness. thair blood is vponne thair owne heads; howsoewir, for our owne exoneratioune. wee haue appointed thir presents to be registrat in the records of our sessioun, and to be publictlie read in the face of the congregatioune if it sall be founde necessarie.

23d April, 1655.

James Riauch haveing appearit in publict, and thair being observit by certain honest persones that he did mack ane moke of repentance, by putting in of sneishen in his eyes to make them tear, and by laughing vpone severall persones in publict. The saids persones haveing given notice thairof, did appear befor the sessioune this day, and gave evidence against him thairanent, and provit the same sufficientlie; as also it was observit his owne miscariag in the session. The matter was continewit to the next day, that the samen myght bee presentit to the presbitrie. [James was sentenced with the greater sentence of excommunication. On the 10th of December he petitioned to be released from the sentence; and he was made to undergo public penance every Sunday, until the 16th March, 1656, when he was absolved.]

15th October, 1655.

Compeirit William Kinneir, and confest his travelling on the Sabbath day, which he declairit was out of meer necessitie, haveing two watters to croce, and ane tempestuos day, quhilk moowit him to fear that he wold not get the watters crost, and so his credit might faill. He was sharpelie admonished; and promist newer to doe the lyke again.

14th January, 1656.

Yesterday, the sentence of excommunication the greater was pro-

nounced againest Gilbert Collisone, Thomas Meingzies, Jeane Cleave, and Margarat Oliphant, for thair poperie, conforme to the ordors and apointment of the prisbitrie.

28th January, 1656.

Yesterday, the elders and deacones (except some few) did all appear in publict befor the pulpit vpon the formes, according to the accustomed maner, and, no objectioune being maid agains anie of them, wer all admitted, and gaue thair oathes for faithfull administration of ther offices.

5th May, 1656.

Reportit by Walter Cochrane and James Swane, that they spake with Captaine Quick anent Raphe Nicolsoune and Barbara Andersoun, whose answer was that the officiares called the man to ane accompt, and he denyed; yet, in regarde of the pregnancie of the scandle, they punished bothe the man and woman: the man, by rydeing the mear, and the woman, by standing on ane barrell heade besyde him, with her dittay one her breast

Cite Issobell Balfort, servand to William Gordone, tailyeor, beeing founde sleeping at the Loche side one the Lords day, in tyme of sermon.

20th October, 1656.

Johne Mackdull to bee cited to the next day, for carieing a caldrone throw the streates one his heade the last Lords day.

10th November, 1656.

Robert Smithe, post, to bee cited to the next day, seing it is informit that he awowes poperie.

15th December, 1656.

Thomas Moncurre and Patrick Whyte, elder, to bee cited to the next day for transcryveing books of poperie, and spreading them, namelie one called the Rosarie.

22d December, 1656.

Compeirit Thomas Moncurre and Patrick Whyte. The said Thomas confest that he gave that popishe book called the Rosarie to Patrick Whyte, elder, to be transcryved and writtenne over, quhilk he receavit from one Jeane Cleve, ane excommunicat papist; and that he desyrit the said Patrick Whyte to keepe it secret, and to wreet the same at such houres as he might not be challenged, to witt, betuixt nyne and ten, and twelff and on, and eftir sex at night. The sessioune thought fitt to represent the matter to the prisbitrie, and they ware warnit thairto, to be haldin in the ordinare place vpone the twentie thrid of this instant.

29th December, 1656.

The prisbitrie haveing appointed Patrick Whyte to bee publictlie rebuked for transcryveing the book given to him by Thomas Moncurre, he appearit yesterday befor the pulpit, and was sharpelie rebuked therfore, and promist never to doe the liye in tyme comeing. Lykeas the prisbitrie appointed the said Thomas Moncurr to bee summarlie excommunicat for the forsaid fact.

Isobel Robertsoune, servand to Peter Hill, baxter, to be cited the next day, for her rayleing againest Mr. Andrew Cant, minister, in saying that becaus the said Mr. Andrew spak againest Yuill, he spak lyke ane old fool.

5th January, 1657.

Compearit Johne Cowtes, and, beeing accusit for refuseing to grind wheat to the baxters one Yule day, alledgit that his mill was broken. The sessioune continued him to the next day; and appointed Peter Hill and William Smart to be cited to the next day as witnesses.

Compearit Issobell Robertsoune, and, beeing accusit for railing against the minister, denyed the same, but that she called Yuleday ane old fool day, and thairvponne gave her oathe.

12th January, 1657.

Compearit Johne Cowtes, and also compearit Patrick Murray, baxter,

and declaired that the said Johne Cowtes said to William Smart, his servitor, quhen he was biddenne work with his mill one Yule day, he wished that the baxtar boyes brake ther legges that bade him worke one Yuillday; and that he wold worke none till Twyseday thaireftir, notwithstanding the mill was not broken, as wes alledgit be him, but able for grindeing. Compearit the said William Smart, and declaired, that vponne Yule ewin the said Johne Cowtes said to him he wished the baxters mens legges wer brokene that came to him till these thrie dayes ware donne. The said Johne referrit the veritie of these words to the said William Smart his oathe; who, being solemnelie sworne, deponed positivelie thairvponne. And siclyke compeared Patrick Hill, and declaired that Johne Cowtes refused to grinde any flower to him vponne Yuleday, nor to Twyseday thereftir. The sessioune, in respect of the said Johne Cowtes his curseing and wicked expressiouns, apoints him to appear befor the pulpit, and to be rebuked therfor.

19th January, 1657.

Thomas Moncurr and Robert Smith to be excommunicat the next Lords day for thair poperie, conforme to the prisbitrie ordour.

Johne Cowtes to appear befor the pulpit the nixt Lords day, to be rebuked for his curseing and wicked expressiones, seing he appearit not the last Lords day, conforme to the former act.

26th January, 1657.

The sentance of excommunicatioun the greater pronunced yesterday againest Thomas Moncurr and Robert Smith, priest, for thair apostacie and defectioune from the true Protestant religioun, conforme to the Presbitries ordour.

2d February, 1657.

John Cowtes yesterday publictlie rebuked for refuseing to grinde flower one Yuleday, conforme to the former acts.

16th February, 1657.

Compearit Andrew Dicksonne, and denyed anie carnall dealling with Marjorie Bayne, or that evir he spak with her to father the barne one

Alexander Campbell, and also denyed that he was popishe, or wented popishe bookes or pictures, for quhilk he was also delate; and beeing interrogat whither or no he offered William Maine ane shilling to cause the woman father the barne vpone another, he answered, that he desyred him to deall with her not to father the barne one him, seeing he was free of her; and further confest that he haunts the Laird of Pitfoddells house now and than, and that he got the touch stone in Pitfoddells house, quhilk he gave presentlie back: He was warnit, *apud acta*, to answer more clearelie the next day; William Mayne, William Skeddoway and his wife, Alexander Andersonne, and William Allardes, to be summondit as witnesses.

23d February, 1657.

Compearit Andrew Dicksonne, and sicklyke compearit the witnesses vnder writtenne, who ware solemnelie sworne in his presence, and deponit as followes, viz.: Alexander Anderson deponit that he sawe ane booke in the said Andrew his hand, printed at Paris by the Inglishe preists, with a croce in the first page thairoff, and that it was a Popishe Catechisme, quhilk he quarrelled; and the said Andrew tooke it out of his hand and confest it to bee a Popishe Catechisme; and that another tyme he saw a whyte broddit book in his hand, quhilk he took out his hand and saw it printed at Rome. Compearit William Allardes, and deponit that one day Andrew Dicksonne came from Pitfoddells house, quher he used to goe frequentlie, and thereftir the deponer and he takeing a drinke togidder, the said Andrew said to him, I hope William ye sall be a Roman Catholick or yee die; and at another tyme he came frome Pitfoddells house, and the said William said to him, Andrew, have yee got a pardone from the preest this day, or anie of the Papists beids? The said Andrew tooke out a litle stringe of beeds with a litle thing one the end of them, quhilk he knew not quhat it meant, and he asked him quhat wold he doe with that? quho answered that he knew not weell, and deponit that the said Andrew Dicksonne said to him that he hade never communicat with the Protestant church; and that he said to him that the deponers religioune was aither a runnagat religioune or a hereticall religioune, quhilk of the two words he remembers not. Compearit William Mayne, and declaired he knew nothing of the said Andrew Dicksone his religioune, and beeing interrogat if he knew anie thing of the fact of for-

nicatioune alledgit committed be the said Andrew with Marjorie Bayne, deponit that the said Marjorie Bayne confest to him that she was with barne to the said Andrew Dicksonne, and that at night Agnas Young, spous to William Skeddoway, told the said Andrew thairoff, quho thairvponne did beat the forsaid Marjorie with a horse whip, and that the said Andrew offerit to the deponner ane schilling to drinke the said Marjorie full, to sie if she would father the barne to another, quhilk the deponer refused to doe. Compearit the said Agnas Young, and declared she knew nothing of the said Andrew his religioune, but deponit that her mother told her first that the said Marjorie was with child; the said Marjorie confest it, and that the said Andrew was the father of the child, and that he sweer he was not, and that the woman sweer the contrairie: and deponit that one day she came in to her owne house about twelff houres, and fand the said Marjorie lying in her mothers bed, and the said Andrew standing in the floore beside her, but saw no vnlikelie betuixt them. Compearit the said Andrew, and confest he got the Popishe Catechisme in Pitfoddells house, and that he read it and gave itt bake againe. and confest that he hade the touchstonne in his custodie, and the answer thairto, quhilk he tooke out of Pitfoddells house with the ladies leave, and denyed that evir he said to William Allardes he hoped he would be a Roman Catholick; he confest he shew him a string of beids, but they ware not popishe beids; he confest he was never cathechised, nor did communicat in his tyme, and denyed that he said the Protestant religione was aither a runnagat or a hereticall religioune. The sessioune continued the matter to the next day, and appoints that he sall subscryve the negative confessioune, and purge himselff of the whoore by oathe, and to appeare in publict the next Lords day for that effect.

2d March, 1657.

Andrew Dicksonne yesterday appearit in publict, and did abjure all poperie, conforme to certaine articles drawen vp, quhilk he subscryvit with his hand; and also purgit himselff, by oathe, of any carnall dealling with Marjorie Bayne.

23d March, 1657.

Compearit Frances Man; and, beeing accusit for poperie, confest she was a papist, and would awowe and professe the same, and that she was

a Romane Catholick, and did not haunt ordinances; and, beeing demandit if shee would quyte and forsake poperie, answered not. The sessioune offered her a tyme to be advysed thairwith. She answered, she would not have a tyme, seeing she hes bene a papist thir seven yeares, and hes served popishe personnes dureing that space, and absolutelie refused to be reclaimed from that religioune. The sessioune appointed the moderator to acquant the prisbitrie with the matter, that they may give out the sentance against her.

20th April, 1657.

Compearit Jeane Leith, spous to Johne Mayne, and, being interrogat if she was now resolved to subscryve the paper drawen vp anent abjuration of poperie, quherwith she hade beene advyseing, answered, she was willing to subscryve the paper, but not to sweare to it; and declaired that she doubted anent some of the articles conteanit in the paper. The sessioune ordaynit the paper to bee delyverit to her againe, that she may advyse and considder the same better; and that she should come to the moderator and the elders, and speak with them anent such articles as she doubted of: and was warnit *apud acta* to the next day.

18th May, 1657.

The said day, the sessioun appointed the collector to give to Master Johne Strachane, late minister at Midmar, the soume of twentie marks Scots money, in regard of his great povertie.

22d June, 1657.

The said day, compearit Jeane Leith, and, being interrogat if she was resolvit to abjure poperie, and to subscryve the negative confessioune, and make oath thairvpone, declaired that she was willing to subscryve the negative confessioune, but not to give anie oath. The sessioune appointed her to appeare before the pulpit the next Lords day, to abjure poperie by ane oath, and to subscryve the negative confessione; and, if she compeared not, to be excommunicat with the greater sentance.

13th July, 1657.

Compearit Alexander Rutherfurde; and, forsameikle as he hes beene before the sessioun severall tymes, and admonisht, for dishaunting of

ordinances, and, notwithstanding thairoff, was founde vaigeing thorow the fields in tyme of sermone one Sunday was fyfteine dayes, quhilk he confest, the sessioune yet thought fitt to passe him with ane admonitioune, with this conditione, that, if he sall at anie tyme heerefter be found vaigeing one the Lords day in tyme of sermone, and absenting himself from ordinances, he sall omit and loose his pensioune quhilk he hes of the sessioune, and dischargit fra vphalding thairof at anie tyme thairefter, besydes anie other church censure that sall be imposed vpone him; quhairvnto the said Alexander consentit.

20th July, 1657.

Jeane Cleave, who was formerlie excommunicat for poperie, beeing nowe come to toune, and reseat thairin, the sessioune appoints the magistrats to bee acquanted therwith.

31st August, 1657.

Jeane Cruikshank, beeing cited to this day, callit, and not compearing, is appointed to bee cited pro 2°.

7th September, 1657.

Jeane Cruikshank, beeing twyce cited, called, and not compearand, is appointed to be cited pro 3°.

14th September, 1657.

Compearit Jeane Cruikshank and gave bake the paper drawen vp anent abjuratioune of Poperie, quhilk she hade receaved to the end she might have considered and subscryvit the same, and declaired she was not resolvit at all to subscryve the foresaid paper; in respect quhairof, she was judgit contumax by the sessioune, and reservit to the prisbitrie.

21st September, 1657.

Compearit Hendrie Dempster, and beeing accusit for drying of ane plaidene wob vpone the Broadhill vpone Sunday in tyme of sermone, confest the wob was laid out to be dryed, but that the same was done by his knowledge; he is continued to the next day, and appointed to bring his wife and womane with him the next day.

12th October, 1657.

Compearit Hendrie Dempster and his wife, and declaired it was by their knowledge that ther womane laid out the plaiden wob to be dryed one the Sabbathe day; and the woman beeing present, confest the same. The sessioune appointed them to be sharpelie rebuked, and admonished not to doe the like in tyme comeing; quhilk, accordingly, was done by the moderator.

19th October, 1657.

Reported, that the prisbitrie have appointed the proces of excommunicatioune to goe one againest Jeane Cruikshank for her poperie and contumacie. She compearit and promist betwixt and the next day to give all satisfactioune to the sessioune, in ordore to her abjureing of poperie. The sessioune have thairfore continued the proces till the next day.

30th November, 1657.

Helene Andersone haveing appearit before the prisbitrie, and beeing by them referrit bak to the sessioune, compearit this day, and beeing desyrit by the moderator to give her oath that, since the tyme she abjured poperie, she hes not frequented mess nor superstitious places, answered, she wold cleare herselff by her professioune and cariage; and beeing desyrit to homologat and ratifie that quhich she abjured before the pulpit, answerit, she would give no more oathes, but that she would keepe the ordinances in tyme comeing. The sessioune appoints her to advyse with the two above writteine overtures, and Charles Robertsone and David Gregorie to speak her thairanent.

14th December, 1658.

The said day, it being regrated befor the sessioune that James Duncane, schoollmaster, hes ane number of poor schollers in his schooll, who are tounes barnes, and hes no parents to interteane them at schoolls, for whose learneing and instructioune he receaves no payment: Therfore, the sessioune, takeing the same to thair consideratioune, hes appointed the collector and his successores collectores of the said sessioune to pey to the said James Duncan, yearlie, the soume of twentie pounds Scots money, for learning the saids children, at the feast and terme of Mertimes, begin-

ning the first yeares peyment thairoff at Mertimes last bypast, sexteen hundred feftie aught yeares, and so furthe yearelie thaireftir, at the said terme.

21st December, 1657.

The said day, the sessioune takeing to thair serious consideratioune the sad and desolat conditione of this citie (often tymes lamented and regrated by them) thorow the want of godlie and able ministers for supplieing the vacant ministeriall functioune within the same, the want quhairoff not onelie occasiones the increase of much sin in the place, but also depryves the Lords people within the same of the comfort of manie sweet and precious ordinances allowed one them by ther Lord and Redeemer, and appointed by him for ther edificatioune and building vp in ther most holie faith; the sense quheroff haveing for manie day sadly pressed ther spirites, and finding that they cannot be comptable to ther Lord and master, his people, nor trust committed to them, anie longer to forbeare the vseing of all possible meanes for planting of the place with holie, gracious, and qualified men. They have, therefore, after mature deliberatioune and seekeing of the Lord, vnanimouslie, all in one voice, nominated and called, and heirby vnanimouslie nominats and calles these reverend and worthe ministers of the gospell, Mr. James Durham, preacher at Glasgow, and Mr. William Rait, minister at Brechen, to be ministers of this citie of Aberdeine, earnestlie beseeching the Lord of his mercie so to look vpone this place that it may bee vpone the heartes of the magistrates, councell. and inhabitantes of this burghe, to vse ther vtmost dilligence and indeavors for promoweing and effectuating so blessed a worke; and that the Lord may perswade them who are called to heare and obey the call, and to remember the manie earnest desires of his people in this place, for perswadeing them thairvnto; and heirby declaires themselffes readie to goe befor and concurre with the people of this citie interest in this great worke for effectuating the same to the vttermost.

1st February, 1658.

Compearit Jeane Cruikshank, and declairit shee was willing to subscryve the paper drawen vp anent abjuratioune of poperie, in respect quhairoff the sessioune appointed her to subscryve the samene in the

moderatores chamber, befor certaine of the elders appointed for that effect.

8th March, 1658.

The said day, the sessioune, in respect of Mr. Andrew Cant, moderator, his longe sickenes and infirmitie, did appoint George Meldrum, one of thair number, moderator, till it should please God to inable the said Mr. Andrew to moderat himselff.

Reported to the sessioune that Jeane Cruikshanke hes subscryvit the paper drawenne vp anent abjuratioune of Poperie, conforme to the former act.

30th August, 1658.

Reported that the ministers did speake the Collonell anent Mr. Scarphe. The Collonell answered, that the man pleaded as being a militarie man he was not lyable to anie church censure; but withall the Collonell vndertooke that he should cause try the man aither befor the circuit court or the marishall court.

27th September, 1658.

Johne Wardane, skipper, beeing banished and scourgit by the magistrates for his adulterie with Margarat Erskene, the sessioune appoints him to be excommunicat with the greater sentance of excommunicatioune.

Compearit Thomas Gray, and confest that one Sunday in the morning, he went to Culter to visit a friend, and stayed thair all night. The sessioune warnit him, *apud acta*, to the next day, and appointed Patrick Gray, his master, to be cited to the next day, to give furder informatioune in the matter. [Sharply rebuked before the pulpit.]

6th December, 1658.

Master Alexander Skene, bailzie, did signifie to the sessioune that the councell hade falleine vpone the nominatioune of Master Johne Patersonne and Master Georg Meldrum to be ministers of the towne, and desyrit to knowe if the sessioune would concurre with them in that thing.

The sessioune, vpone grave considerationes, continewes thair answer to the next day.

13th December, 1658.

The sessioune appointes Thursday next, the sexteint of this instant, to meet in the ordinarie place of meeting, at two houres in the eftirnoon, to seek God in the matter of the call of the ministers now in hand, and that day to conclude thair thoughts theranent, quhilk is ordainit to be intimat to the councell.

16th December, 1658.

The said day, the sessioune haveing mett sessionallie, conforme to thair last act, in thair ordinare plaice of meeting, for election of ministers. wher was present—

Master Andrew Cant, moderator.	Master Johne Campbell.
Master Johne Meingzies.	Charles Dune.
Georg Meldrum.	James Swane.
Master Alexander Skene, bailzie.	Walter Melwill.
Charles Robertsone.	Thomas Mill.
David Gregorie.	Johne Smith.
Johne Ritchie.	James Dower.
Henrie Pantone.	Samuell Hunter.
Thomas Melwill.	Alexander Watsone.
Robert Leslie.	Johne Hendrie.
Thomas Mitchell.	Johne Malis.

Ther ware leited Master Johne Patersonne, minister at Ellone, Mr Georg Meldrum, regent in the new colledge of Aberdeine. The wholl sessioune, in one voice, did call the said Master Georg Meldrum vnanimouslie, conforme to the act vnderwrittenne; and as to Master Johne Patersonne his call, thair was dissenters, Master Andrew Cant, Master Alexander Skene, Mr. Johne Campbell, Charles Dune, James Swane, Walter Melwill, Alexander Watsone, John Smith, Johne Hendrie, Thomas Mill, Robert Leslie, James Dower, Samuell Hunter; and thair ware absent, Walter Cochrane, Master Alexander Forbes, William Gordone, Johne Moir, Johne Rose, Georg Pyper, Johne Sangster, Patrick Dune, Robert Burnet. Followes the tennor of the act anent the said Mr. Georg Meldrum his call:—The said day, the sessione of Aberdeine have-

ing mett sessionallie in thair ordinare place of meeting, conforme to ane former act and appointment maid bee them for that effect, to fall vpone the nominatione and call of ministers for supplieing the vacancies of this citie, a worke so necessarie that they finde themselffes alwayes bounde in conscience to prosecut by all faseable meanes, notwithstanding of sundrie disappointments and discouragments they have mett with in thair former attempts maid for that end; and thairfore, efter the calling vpone the name of the Lord, by prayer, for his direction to them in so weightie and necessarie a worke, whairin his honor and the good of his people is so nearelie concerned, the sessioune beeing throughelie sensible of the sad conditione of this citie thorow the longe want of ministers, and of the prejudice manie sowles thairin hes sustainit thairby, and vnderstanding that Master Georg Meldrum, regent in the colledge of New Aberdene, for his knowledge, learneing, grace, pious conversatioune, and vtterance, is a personne that, throw the blesseing of God, they look vpone to bee weell and fitlie qualified for exerceing of the office of the ministrie in this citie of New Aberdeine: Thairfore, the wholl sessioune, beeing frequentlie conveened, all in one voice did vnanimouselie nominat and call the said Master Georg Meldrum to be one of the ministers of this citie, and did appoint Georg Meldrum, one of thair number, to acquant the said Master Georg with the said call, and to make intimatioune therof to the reverend prisbitrie of Aberdeine, heirby giveing full power to the said Georg Meldrum to prosecute the said call befor the prisbitrie in all things necessarie and observeable in such a cace; and the sessioune humblie intreates that the prisbitrie would, with all possible dilligence, authorize thair said call, by homologating and consenting thairvnto, and admitting the said Mr. Georg Meldrum to the ministrie, and his exerceing thairof in this citie, according to the ordour observit in this churche in such caces, that therby the Lord may bee honoured and manie personnes refreshed; and ordaines thir presents to bee recorded in ther sessioune booke, and extracted furthe thairof. Followes the act of the dissasent frome the call of Mr. Johne Patersonne:—

The said day, the sessioune haveing, in ordour to ane former act maid by them, mett sessionallie at thair ordinare place of meeting, for nominating and calling of ministers towards the supplieing of thair vacancies, after seekeing of God for directioune to them in the said worke, Master Johne Patersoune, minister at Ellon, was nominat by some members of

the sessioune to be one of the ministers of this burghe; after whose nominatioune, Master Andrew Cant, thair moderator, declairit that he did whollie disassent frome the said nominatioune, and eftir severall reasoneings and a whilles debate, *pro* and *contra*, betuixt Master Andrew Cant and others with him, and Master Johne Meingzies and others with him, concerneing the convenience and inconvenience thairof, the said Master Andrew Cant, in the close of thair reasoneings, did remaine still dissatisfied with the said nominatioune, and disasented thairfrome, and withall declaired that he would not, as moderator, put the sessioune to any new vote thairintill, and thairvponne remowed himselff; after whose remowall, Master Johne Meingzies moderating, some reasoneings past in sessioune towards the expediencie and inexpediencie of the said nominatione, in the close of the quhilks reasoneings, Master Johne Meingzies stateing the questioune, quhilk was, call or not, hee did put the same to ane vote of the sessioune. The sessioune, for the major and greater pairt thairof, the most sensible of the sad and longe vacancies of the place, and of the great difficultie of the planting thairof, in respect of present divisiounes and distempers amongst us, yet fearing that ther shall arise more heat and dissentance in the place if the said call should goe one, quhilk they find themselffes obleigit in conscience to prevent, they thairfore voted negativelie in the said matter, and did whollie dissasent therfrom, and ordainit this present act to be recorded in thair sessioun book.

The above writtene act was publictlie read in sessioune at severall dyets, and lastlie vpone the last day of January next (wpone the quhilk day it is also recorded), and sundrie of the above namit personnes formerlie absent, viz., Walter Cochrane, lait bailye, William Gordone, Johne Moir, Johne Rose, and Johne Malis, did all give thair disassent againest the nominatioune and call of Master Johne Patersonne, adhereing to the act and disassent thairin exprest, as if they had beene present the first dyet.

31st January, 1659.

The said day, the sessiounes act, bearing ther disassent frome the call of Master Johne Patersoune, beeing publictlie read abefor at severall dyets, and lastlie this day, was read and approvene, and sundrie of the persones formerlie absent, viz., Walter Cochrane, lait bailyie, William Gordone, Johne Moir, Johne Ross, and Johne Malis, did all

give thair disassent against the nominatioune and call of the said Mr. Johne Patersonne, adhering to the act, and disassent thairin exprest. as if they hade been present the first dyet; and desyrit thair disassent to be recordit.

2d May, 1659.

The said day, the sessioune haveing causit wreit ane letter to Master Johnne Patersonne, minister at Elloun, whairby they expresse their thoughts to him in reference to his pretendit call for beeing minister at Aberdeine, did cause read the said letter publictlie in sessione, quhilk was approvenne, and ordainit the same to be recorded in ther sessioune book, quherof the tenor followis: For the right reverend Mr. Johne Patersonne, minister at Ellon. Reverend sir, The desire wee have to be founde in some measure faithfull in the trust committed to us, the tendernes which wee owe to the sowles of the people in this place, and the respect which wee beare to yourselff, with whome wee love not to jusle, especiallie in anie publict way, hes drawene these lynes from ws. Wee finde our reverend pastor, Master Andrew Cant, resoluit never to give you the right hand of fellowship as minister of this towne; and, in this cace, wee judge ourselff's bound in conscience to adhere to the disassent and protestatioune of our pastore, neather will wee ewir consent to anie man whose entrie anie of our ministers judge to be greivous to them. And this is not the resolutioune of a few in the place, or of a few members of the sessioune onelie, but of the bodie both of elders and deaconnes, quhich may appeare by our subscriptiounes, quhairof the bearer, one of our number, will furder informe yow; so that to come hither at this nick of tyme in such a way, will kendle a fyre, the lyk quhairof was newir in this place; yea, and will inevitabelie make divisiounes and rents greater here then befor: and what sad consequences this may produce, we leave you to considder. May wee thairfor, reverend sir, humblie intreat you in the bowells of Jesus Christ, as you tender the advantage of the gospell, and the good of the soules of this place, as yee would not be accessorie to the kindleing of a fyre in this towne, which God knowes how or when it should be quenched, that yee would be pleasit, by a line vnder your owne hand, to lay by this call, wee may say it should nevir repent yow. It would add exceedinglie to your reputatioune with all who shall heare of it;

it would be a speciall ingadgment vpone our hearts towards you: it would be a standing testimonie for tyme to come, of your tendernes to the peace of the churche. Wee humblie suppose it now a fitter seasoun for you to doe this then afterwards, befor the matter be anie more agitated in a judiciall way. And we are the rather incouraged to addresse ourselffs to you in this way, that wee haue beene informed by severalls that yee have no inclinatioumes to come to this place at this tyme to bee college to Mr. Andrew Cant. The inconveniences of setleing Mr. Andrew Cant and yow togither as colleges at this tyme, are so apparent, that wee beleeve no sobber wise man would come over them. Expecting, thairfore, a satisfeing answer to this our desyre, and wisheing a blesseing one your laboures quhair yee are, wee rest, reverend sir, your loveing brethren and servands, so subscryvit, Mr. Alexander Skene, elder, Walter Cochrane, elder, Mr. John Campbell, elder, Charles Dune, elder, William Gordone, elder, Johne Rose, elder, Johne Moir, elder, Robert Burnett, elder, Walter Melvill, elder, Alexander Watson, deacon, John Sangster, deacone, Samuell Hunter, deacon, Johne Smithe, deacon, Robert Leslie, deaconn, Thomas Mill, deaconne, Alexander Johnstonne, deacon, Johne Hendrie, deacon, Johne Malis, deacone.

Captain William Neilsone, delate for not frequenting ordinances, appointed to be summondit to the next day.

9th May, 1659.

The said day, the sessioune ordainit ane letter to be writene to the Prisbitry of Ellone in reference Master Johne Patersonne, to be proproduced this day aught dayes in sessioune; and they did nominat Walter Cochrane, lait bailyie of Aberdeine, and John Moir, burges thair, to goe to Ellon for delyvering of the said letter to the prisbitrie, and for other causes mentionat in the commissioune, whairoff the tennor followes:

The said day, the sessioune of Aberdeine commissionat, nominat, and appointed Walter Cochrane, lait bailyie of Aberdein, and Jhonne Moir, burges thair, two of thair number, to pass vnto the Prisbitrie of Ellonne, and to delyver to the moderator thairof ane letter, direct frome the sessioune of Aberdeine vnto the said moderator and remanent brethren thair-

off, and to attend thair answer thairto, and, if need beis, to witnesse to the prisbitrie the sessiounes constant adhereance to the dissasent to the pretendit call of Master Jhonne Patersonne, minister at Ellone, to be minister at Abirdeine; and in cace the prisbitrie sall proceed to the transplantatiounе of the said Master Jhonne, the saids commissiouners are heirby impowered to protest againest the samene, for the reasonnes at lengthe conteanit in the sessioune of Abirdein, thair said dissasent frome the said call, and in the answer givene by the prisbitrie of Abirdeine to the appellatiounе produceit to them by the townes commissionares, and other reasonnes alreadie eiked, or that shall be eiked to them, and to declair the sessiounes adhereance to the appellatiounе givene in to the last Provinciall Assemblie be the said Mr. Andrew Cant, quhairby he appeallit frome them to the next Generall Assemblie, and to make report of thair dilligence betuixt and the twentie-thrid of this instant, and ordaines thair presentes to be recorded in thair sessioune book.

Compearit Captaine William Neilsonne, and was sharpelie rebuked for not frequenting ordinances. He promist to observe them more frequentlie in tyme comeing, at all occasiones quhen he is in towne.

16th May, 1659.

Ane letter writeine to the prisbitry of Elloun was this day read and approvenne, and the commissionars formerlie namit receavit thair commissioun for delyverie thairof, conforme to the former act, of the quhilk letter the tennor followes:—For the right reverend the moderator of the prisbitry of Ellon. Right reverend,—The sessioune of Abirdeine haveing appointed two of thair number, Walter Cochrane, lait bailyie of Abirdeine, and Johne Moir, to attende your prisbiteriall meeting the eighteint of this instant, have thought fitt by these to hold furthe to yow, as a point of thair duetie, both as to yow and to the interest they have in your present statioune, that they doe still adhere to thair disassent anent the pretendit call given to Master Johne Patersonne to be minister at Aberdeine, fearing that, if the samene should be prosecute, it shall occasioune the heightneing of the divisiounes in this place, whilk they would rather have healed and taikene away then aniewayes increased. And it is more then probable that the prosecutioune of that pretendit call will inevitabelie foment these divisiounes more and more, our reverend pastor, Mr. Andrew

Cant, haveing resolvit nevir to give the said Master Jhonne the right hand of fellowshipe as minister of Aberdeine; neather will the sessione in this cace consent to anie whose incoming to the place may be greevous to the present incumbents, especiallie to that old reverend man, who hes servit faithfullie in the ministrie so long: Thairfore, the sessiounes humble and earnest desire to your reverend wisdome, is, that yow would not proceed towards the transplantatioune of the said Master Jhonne to this place, for they cannot expresse thair thoughts nor feares they have of the consequence thairoff, and humblie conceaves that they need not to use arguments with yow in this matter, for they doubt not but it does eminentlie appeare to your wisdome that the said Mr. Johne, your reverend brother, his comeing heer will not be for his advantage nor comfort, nor to the satisfactioune of manie honest people in this place, whom the sessioun is confident he will be loathe to offende. The sessioune hes formerlie writeine to the said Master Johne to this purpose, and they are informed the prisbitrie also. If your wisdome thinke fitt, yow may see bothe thes letters, quherby yee will knowe the prisbitrie and sessiounes mynde as to that particular. Wee sall leave this to your reverend wisdomes serious consideratioune, and that yee would consider how vnpleasant a busienes it will bee to a minister to be admitted to a place quher neather the prisbitrie nor sessioun to quhom hee comes will give him the right hand of fellowshipe. So, wisheing the Lord to direct yow in this, and that ane blessing may be vpone your laboures, the sessioune hes appointed thir presents to be sent to yow, and subscryvit by the moderator and clerk in thair names, so subscryvit, Mr. Andro Cant, moderator, James Swane, clark.

23d May, 1659.

The said day, it was reported by Walter Cochrane and Johnne Moir, commissioners sent frome the sessione to the prisbitrie of Ellone, for opposeing the transplantatione of Master Jhon Patersone to be minister of this citie, that they went to the prisbitrie of Ellone, and presentit thair commissioune and other papers, and that the prisbitrie, eftir hearing of them, did ishue furthe ane edict for summonding the parochiners of Elloune to appeare befor the prisbitrie thairof the aught day of June next, to heare and see the said Mr. Jhonne transplanted, against quhich they protestit, of the quhilk protestatioune the tennor followes:—Wee, Walter

Cochrane, lait bailyie of Aberdeine, and Jhonne Moir, burges ther, commissionares appoyntit by the sessioune of Abirdeine, lawefullie authorised to the effect vnderwriteine, in name of the sessioune of Abirdeine, and bee virtue of thair commissioune and authoritie, doe protest against yow, the prisbitrie of Ellone, that anie reference maid, or to be maid by yow, in reference to the discusse of the pretendit call of Master Jhonne Patersonne, minister at Ellon, to be minister at Abirdeine, to the next insewing Provinciall Assemblie of Abirdeine, is in itselff vnvalid and ineffectuall, in regarde Master Andrew Cant, moderator of the sessioune of Abirdeine, in name of the sessioune, hath alreadie appeallit frome the said Provinciall Assemblie the discusse of the said matter to the next Generall Assemblie. Vnto the quhilk appellatione the sessioune doeth adhere, and wee, in thair names, protests in regarde thairof, that anie act or appointment maid by yow, in ordour to the transplantatioune of the said Mr. Jhonne, may be void and ineffectuall as illegall and vnwarrantable, conforme to the knowene constitutiones of the Churche of Scotland, and constant practice thairof, observit in such caices. Quhilk protestatioune wee crave to be recorded in your prisbitrie books, and quhilk is enterit be virtue of our commissioune frome the sessioune of Abirdeine, beareing dait the nynt day of May, 1659, so subscryvit, Walter Cochrane, J. Moir.

30th May, 1659.

The said day, the sessioune of Abirdeine commissionat, nominat, and apoyntit Walter Cochrane, lait bailyie of Aberdeine, Johne Moir, burges thair, and James Swane, burges thair, three of thair number, or two of them, to pass to the Prisbitrie of Ellon on Wednesday next, the aught day of June next to come, thair to prosecute ane former commissioune, grantit to the saids Walter Cochrane and Johne Moir, from the said sessioun, bearing dait, at Aberdeine, the nynt day of May instant, towards the delyverie of ane letter to the said Prisbitrie of Ellon from the said sessioun of Aberdeine, and requireing ane answer thairto (quhilk answer is not as yet returnit); and to protest againest the transplantatioune of Master Johne Patersonne, minister at Elloun, to be minister at Aberdene, as the said commissioun of the dait forsaid delyverit to the said Prisbitrie of Elloun, containeing in itselff diverse other articles, more fullie beares. Lykeas the said sessioune heirby commissionats and authorizes the saids personnes above namit to pro-

ceed in v:eing all protestatiounes neidfull againest the said transplantatioune, and to give in such reasones and arguments againest the same as they sall thinke most fit and expedient, ayther be worde or wreit, as need shall require: still adhereing to the reasonnes contaynit in the sessione of Aberdeine thair former disassent to the said Mr. Johne Patersonne, and the answers givene by the Prisbitrie of Aberdeine to the toune of Aberdeines appellatioune, and other reasonnes eiked thairto, quhilks are all lyand yet befor the previnciall Synod of Aberdeine vndiscust, in regarde of the appellatioune maid frome the said sinod be the said Mr. Andrew Cant, in name of the sessioun of Aberdeine, to the next ensewing lawefull Generall Assemblie, quhilk appellatioune is ratified in sessioune, and quharvnto they still adhere; and to doe all and ewerie thing requisit to be done in the said matter, as they sall finde occasioune; and to mak report bak to the sessioune of Aberdeine of thair diligence thairanent, betuixt and the thriteint day of June next. And thir presents to be recordit in our sessioune books, and to be subscryvit by the moderator onelie; so subscryvit, Mr. Andrew Cant, moderator.

13th June, 1659.

Reported by Walter Cochrane, Johne Moir, and James Swane, commissioners sent by the sessioune to the Prisbitrie of Elloune, for protesting against the transplantatioune of Mr. Johnne Patersonne to be minister at Aberdeine, that they went to Ellon; hade thair papers read: and that the matter is continued to the next presbitrie day, quhilk is Wedeinsday come a fortnight. The session continues the matter to the next day.

20th June, 1659.

The sessioune appoyntis ane new commissioune to be given to Mr. John Campbell, Charles Dune, and James Swan, to goe to Ellon, the 29 of this instant, to prosecut the sessiounes intrest againest the transplantatioune of Mr. John Patersonne, and to doe thairin quhat they finde convenient, quhairof the tennor followes: The said day, the sessioune did nominat, appoint, and authorize Mr. Johne Campbell, shireff clark of Aberdeine, Charles Dune and James Swan, burgess thair, thrie of thair number, to goe to Ellon againest the twentie nynt of June instant,

and thair to appeare befor the prisbitrie thairof, for opposeing againest the transplantatioune of Mr Johne Patersonne, minister at Ellon, to be minister at Aberdeine, in regarde the said Mr. Johne hes no call for that effect from the sessioune; and to adhere to all and quhatsumewer answers, reasones, and other papers alreadie given in be the sessioune of Aberdeine to the last Provinciall Synod, or to the said Prisbitrie of Ellone themselffs; and to propose and give in anie other reasones quhilk they sall thinke expedient, in reference to the said matter; and to protest, as neid beis; and to doe all and everie thinge requisite in the said matter, as occasioune sall offer, als frelie as if thir presents ware extendit in most ample forme. And ordaynes the said commissioners to report thair diligence in the said matter, betuixt and the fourt day of July next. And thir presents are appointed to be subscryvit be Mr. Andrew Cant, in name of the sessioune; quhilk is subscryvit as followes: so subscryvit, Mr. Andrew Cant, moderator.

4th July, 1659.

Report maid by Mr. Johne Campbell, Charles Dune, and James Swan, commissiouners sent by the sessioune to Ellon for protesting againest the transplantatioune of Mr. Johne Patersonne, minister thair, to bee minister in this place: That they went to Ellon and appearit befor the prisbitry thairof, and adheired to thair former reasonnes; and that notwithstanding thairof, the presbitrie did proceed to the transplantatioune of the said Mr. Johne, againest quhich the saids commisiouners protestit: of the quhilk protestatioune the tennor followes: Wee, Master Johne Campbell, Charles Dune, and James Swane, commissionares appointed by the sessioune of Aberdeine for opposeing the transplantatioune of Mr. Johne Patersonne, minister at Ellon, as our commissioun, of the dait at Aberdeine, the twentie day of June instant, more fullie beares, findeing that the Prisbitrie of Ellon hes proceedit in the transplantatioune of the said Mr. Johne, notwithstanding that he hade never anie lawefull call (frome anie haveing power) to be minister at Aberdeine, and that the sessioune and Prisbitrie of Aberdeine have alwise stood in oppositioun to anie pretendit eall given to him, neather can it ever be maid appeare that ever thair was anie formall call given to him in any sort to be minister of that place, as is clearelie held furthe in the Prisbitrie of Aberdeins answer to the toune of Aberdeins appellatioune, quhilk is yet vndiscust, in so far as

the said matter is appealled from the Provincial Synod of Aberdeine to the next lawfull Assemblie; and in eiked reasonnes given in thairto, and certaine other reasonnes produced by the commissioners formerlie appointed by the said sessioune to compeare befor the Presbitrie of Ellon for opposeing the said transplantatioune, all quhilks are lyand as yet vndiscust. Thairfore, wee, the saids commissionares, in name of the sessioune of Aberdeine, as beeing commissionat be them for that effect, does heirby solemnlie protest against the said transplantatioune, and against all acts and proceedings maid in ordoure thairto in anie sort, as beeing direct contrarie to the acts and constitutiounes of the Kirk of Scotland, and protests that the said act of transplantatioune is in itselff, and sall be in all tyme heirefter, invalid, illegall, and null; and that the same shall be nowayes prejudiciall to the sessioune of Aberdeine, thair just right and priveledge of calling of minister or ministers to the said brught, conforme to the knowen constitutiones of this Churche of Scotland, and pratique thairof, and, in particular, the directorie for electing of ministers, appointed by the Generall Assembly in anno 1649, sessi: 40; and that the said sessioune, in all tyme comeing, sall call ministers to the said brughe, conforme to the said directorie, and adheares to the haill protestatiounes, reasonnes, and other papers alreadie given in the said matter: In testimonie quhairof, wee have subscryvit thir presents with our hands this twenty nynt of June, 1659. So subscryvit: J. Campbell, Charles Dune, James Swane.

15th August, 1659.

The said day, the sessioune, considering that thair was ane edict lately servit at the kirk door of this citie, for admitting Master Jhone Patersonne, minister at Ellone, to be minister at Abirdein, the sexteint day of August instant, if no reasonne should be given in the contrairie befor the personnes mentionat in the said edict the said day, albeit the sessioune findes that they have alreadie done what is incumbent on them againest the said Mr. Johnne his transplantatioune, in regarde he hade newir anie call frome them nor prisbitrie of Abirdeine to be minister of this place; yet findeing that, notwithstanding of the answers producit befor the Assemblie in Aprill last by the prisbitrie of Abirdeine to the toune of Abirdeines appellatioune, and eiked reasonnes thairto, againest the transplantatioune, and of the appellatioune maid thairuponne to the next Generall

Assemblie, as also of the reasonnes producit by the said session of Abirdeine to the prisbitrie of Ellon, and protestatioune maid ther by them, as also protestatiounes maid by the prisbitrie of Dear, adheared vnto by manie of the ministers of the Synod of Abirdeine befor that meeting of the Synod of Abirdein in July last, and other emergent arguments prest at that tyme, all holding furthe the illegallitie, irregularitie, and vnwarrantablenes of the said transplantatioune; that yet the Synod of Aberdeine hes not onelie fund the said Mr. Johne called to be minister heer, albeit they nevir saw anie such call aither from sessioune or prisbitrie (who hes both constantly opposed the transplantatioune), nor is ewir able to produce anie call frome them, bvt also hes appointed a certaine number of ministers from all the prisbitries of the province for his admissioun: Lest the sessiounes silence sould draw anie misconstruction on them in not appeareing befor the said meeting to witnes thair adherance to all the former actings againest the said transplantatioune, they doe thairfor, by these presents, testifie and declair, and heirby testifies and declaires, thair constant adherance to all the aforesaid answers to the said appellatioune producit be the toune of Abirdeine to the prisbitrie thairof, eiked reasones given in thairto, reasones producit befor the said Prisbitrie of Elloun, and to all and quhatsumevir protestatiounes or appellatiounes maid by the session of Abirdeine, prisbitry thairof, Prisbitry of Dear, or anie other ministers within the province of Abirdeine, againest the said transplantatioune, and holds the samene, all as repeated in this place, they beeing all lying in proces, and to all and ewerie act or acts maid in ordour to the opposeing of the said illegall transplantatioune, the said Mr. Johne never haveing anie call from the sessioune or prisbitrie for that effect. And, furder, for the reasones and arguments at length exprest in the papers and others above exprest, and others to be eiked in tyme and place convenient, the session doth heirby solemnelie protest that the ministers, and others conteinit in the said edict, sall not proceed towards the admitting of the said Mr. Johne to be minister of Abirdeine, and againest the said admissioun, if any sall be, and against all and ewerie act or acts maid or to be maid thairanent, and protests the samene may be in themselffs void and null for now and ewir as illegall and vnwarrantable, and that the saids ministers appointed to meet for the effect forsaid, may be comptable for thair actinge in the said mater to the next lawfull Generall Assemblie, in regarde the samene ar direct contrairie to the actes and con-

stitutiounes of this Churche as the wholl transaction of the matter of the said transplantatioune hes beene frome the beginning to the last period thairof, as, God willing, sall be maid appeare in tyme and place conveinient. And protests that thir presents be recordit in the provinciall register of Abirdeine, and that authentick extracts thairof be given vnder the clarks hand. Quhilk protestatioune above writtenne is apointed by the sessioune to be presentit be Walter Cochran, Charles Dune, and Alexander Johnestoun, thrie of thair number; and to be recordit in ther sessioun book.

22d August, 1659.

The commissionaris reported they appearit befor the ministers nominat be the synod for admitting Mr. John Patersone, and producit thair protestatioune, quhilk was read; and, notwithstanding thairof, they proceedit to the admissioune of Master John Patersonn, minister at Elloun, to bee minister of this place: whairvpone the commissionares did enter thair protestatioune, and desyrit the same might be recordit in the provinciall register, as is exprest in the protestatioun itselff.

16th October, 1659.

The said day, these members of the sessioune who formerlie disassented frome the call of Master Johne Patersoune to be minister at Aberdein, findeing that he was now admittit, and beeing present in sessioun, declairit thair adheerance to what they hade done againest the same, and that thair beeing present in sessioune should not be interpret as a passing frome that. And the said Mr. Johne Patersonne declairit that anie adhereance of that nature should not be prejudiciall to his call.

26th December, 1659.

Compearit Elspet Simsoune, and denyed the brewing of aquavitey on the Lords Day, onlie she was brewing one Saturnedayes night, and hade endit her work befor twell. The sessioune appointit her to be admonishit, quhilk accordinglie was done, and dismist her.

SELECTIONS

FROM THE

RECORDS OF THE PRESBYTERY

OF ABERDEEN.

SELECTIONS

FROM

THE RECORDS OF THE PRESBYTERY OF ABERDEEN.

Mr. Peter Blackburne, Moderator. Present—David, Bischope of Aberdeine, &c.

20th October, 1598.

It is agreit be the haill prisbitrie thair be a collectione gatherit amangis the brethrein, and of the penalteis, to by commentares upone the text of the exerceiss, quhilk sall serve to everie ane of the presbiterie, quha hes nane, in tyme cuminge. And seing the maist pairt of the ministeris thame selffis is become negligent in keiping and frequenting to the exerceiss, sundrie of thame oft absent, otheris nocht making the exerceiss, nor adding thairto, at the day appointed, quhairthrow the presbyterie be time will decay, and, be thair ewill exempill, fewe or nane will repair thairto: thairfoir the haill brethrein in a voice, with the said moderator, hes concludit according to the ordinance allreddie maid the sewint of November, 1589, that quhasoever beis absent thairfra, in tyme cuming, and quha failyeis in making of the exerceise, and adding thairto, sall pey the penalteis undervrettin, viz.: for everie absens, being convict, ten schillings, and for everie failyie in making or adding at the day assignit, tuentie schillingis, and that to the collector of the penalteis, to be distributtit be the advyiss of the presbyterie; and, giff ony disobey this act and ordinance, to be suspendit, aye and quhill he giff obedience conforme heirto in all points.

The said day, forsamekill as the brethrein of the presbyterie, understanding thame selffis to be overburdenit, pairtlie be taxationis in furnessing commissionaris to the Parliament and Generall Assembleis, and pairtlie for officiaris feis and scryves to the presbytrie, and now for

the furnessing of buikis, to be commond for the helping of thame that ar on the exerceise quha hes nocht money to obey the same, hes statut and ordenit, in tymes cuminge, with ane consent of the haill presbiterie, that quhatsumevir persones beis convict afoir the presbyterie, eather for adulterie, incest, or ony creame quhatsumevir, sall pay the thrid part of thair penaltciss to the collector of the presbyterie, and the tua pairt to the minister and elders of thair congregationis quhair they commit the sclander, to be usit be thair advyiss; and this of everie particular kirk in landwart within the said presbytere, except Machar kirk, quhilk is ruenouss, quhilk thrid part to be bestowit upoune the commoune affaris of the presbitrie as said is.

17th November, 1598.

The quhilk day, Thomas Makie, sumtyme schoilmaster of Kintoir, produceit ane letter of the prowest, balyeis, elders, and rest of the gentillmen of the said paroche, bering ane supplicatione to the moderator and rest of the presbiterie for to admitt the said Thomas Makie to be ane teacher and instructor of the yowtht within thair brught, seing they inlaikit ane: and that they haid gottin the guid will of the minister, quha vas ane speciall cause of his depriuatione; and, thairfoir, that the presbyterie wald try him, according to the ordour usit in admitting sic persones, baith in religioune, vrettin, and redinge, and sa to authorisch him with thair testimoniall of admission: quhairfoir, efter the said presbyterie haid considderit the foirsaid suit, and finding the same to be reasonabill efter that they had tryit the said Thomas Makeis habilitie in the foirsaid pointis of reding and vrettin, and finding him in sum measor qualifeit thairin, tuk his solempt aith that he was of the same trew religione with thame, and detestit all idolatrie and papistrie; and sua admittit him *ad probationem* for ane yeir, to teich at Kintoir bairnis to reid and vreitt: provydeing alwayis, giff at ony tym he beis fund sclanderuss in his lyif, or misreportar of the minister, or hinderar of his disciplein, or, uthervyis, a sawer of discord betuixt him and his flock, being convict thairoff, it sal be iust caus of depriuatione to the said Thomas in all tym cuming.

Thomas Andersone, in Kincousie, within the paroche of Mariculter, being summondit to this day for the committing of incest witht Mar-

grat Imbray, his vyffis sister dochter, comperit the said Thomas, and confessit the same: quhairfoir the presbyterie ordenit him to sitt threttein Sondayes in saikclaith, bairfuttit and bair leaggit, upone the stuill off repentance; and to pey to the collector of the presbyterie, Johne Roche, tuentie merkis agane Freday cum a fyftein dayis, afoir he enterit to his repentance; and the said Margrat to be chargit, how sone schoe micht trawell efter hir birth, afoir the said presbyterie.

19th January, 1598.

Comperit, the said day, Villiam Setoune in Lairshill, within the paroche of Fintray, as he ves summondit to the said day for his relapss in adulterie witht tua sundrie vemen, Elspet Cuminge and Isabel Lasoun; and, being accusit afoir the presbyterie be the moderator, confessit the same, first, his adulterie vitht Elspet Cuming, quha is laitlie departit vitht barne to him, and, siclyk, vitht Isabell Lausoun lang tyme sen syne: Heirfoir the presbyterie ordenis him to pey fourtie lib., provyding he pey tuentie lib. aganis the nixt presbyterie, in this caice to be fre of the said fovrtie lib., and na wther wayes, becauss he is riche; and to sit tuelff Sondayes in saick claith, bair futtit and legit, upon the stuill of repentance within the paroche kirk of Fintray, and that he bring his penaltie to the collector of the said presbitrie, to be distributtit according to the former ordinance; and the said Villiam Setoun was varnit, *apud acta*, vith certificatioune to be present the next day

2d February, 1598.

Maister Villiam Nelsone, minister at Fintray, exercisit upon the contrauersie of the power of the kirk, and ansuerit to certain obiectionis of the papistis.

16th February, 1598.

Siclyk, Patrik Milne comperit, and being accusit for the resawing of ane barne to foster within his houss, quhais father and mother he knew nocht, grantit the recept of the barne fra ane James Cheyne, quhom the presbyterie apontit to be chargit afoir the presbyterie, quhair he duellis, be Maister Alexander Barcley, and they to tak tryell heirof, seing he is nocht within the bundis of this presbyterie, and ordenis the said Patrik Milne to pey fourtie s. in penalteiss, and to sit upone the stuill of repentance

ane Sonday; and in caice he pey nocht the said sowme, to sit twa houris in the joggis or gewis for his offence.

2d March, 1598.

The said day, in the action of sclander persewit be Barbara Baddie aganis hir nichtboris, vyffelling maney, efter tryell baith afoir thair particular sessione of Banchorie-Devenick, and sic lyk heir, findis that the said Elinge haid committit offence aganis the said Barbara Baddie, yit be the consent of the said pairtie offendit var reconsilit afoir the presbitrie, be the said Ellinge teallinge hir pardone upone hir kneis, and baith var admonesit to keip guid concord in tym cuminge, and quhosoever committit the lyk offence aganis uther the pairtie offendand, to pey ten lib., and to mak thair publick repentance upone the stuill, within thair awin paroche kirk, that utheris may tak exempill heirby.

The said day, Mathow Hill, parochioner within Banchorie-Dauenik, being convict afoir his awin sessione for the sclanderinge of his nichtbor, Thomas Philpe, in Petfoddell, calling him commond theiff and cuttar of fenss and siclyk, be his awin confessione, vas ordenit heirfoir be the presbyterie to pey tua merkis to the collector of his paroche, and to aske the pairtie quhome he hes offendit forgeveness; and in caice he dissobey this, the ordinance of the presbiterie to the persone of Banchorie to proceid aganis him, aie and quhill he satisffie this act in all pointtis.

16th March, 1598.

The said day, thair vas producit afoir the presbyterie ane letter of ane Mr. Andrew Drumond, minister at Panbryd, declairing thair vas ane callit Skirling mareit witht ane voman of the congregation of Auld Abirden, and heirfoir it wald pleiss thame to giff thair testimoniall giff sa var, becauss he had ane mareit vyiff all reddie in his congregatione, the tennour quhairof followis:—Rycht honorabill and loving brother in the Lord Jesus,—Efter my verry hartlie commendationis, thair vas ane callit Patrik Skirling mareit with ane vomane of our congregatione, callit Jonet Johnsone, quha, being burdenit vitht great dettis, departit fra the womane and past to the North, and is now mareit and remanis in your congregatione at the Brige of Dee, the poor vomane hes meanit hirselff unto us, and having lewit honestlie sen his away passinge wald now be conjoinit agane

in mariage to sum honest persone, quhilk can nocht be done except they be devorcit; heirfoir I thocht guid to wreitt thir presentis unto yow, desyring that ye vald call the said Patrik befoir yow, and thairefter send us with the bearer your testimoniall that he is mareit, for the better forderance of the said divorcement for the comfort of the poor vomane, quha hes keipit hir selff swa honestlie, nochtwithstanding of his onhonest dealing, remittis this mater to your discretione, committis yow and your trawellis to the Eternall. From the kirke of Panbryd the third of Marche, and *sic subscribitur*, your affectionat brother in Christ, Maister Androw Drummond, minister at Panbryd.

20th April, 1599.

Anent the actioun of sclander perseuit be Johnn Woid, at the Myln of Fintray, aganis Alexander Bawerlay, and of the said Alexander aganis the said Johnn, comperit the said Alexander and confessit that he spak agains the said Johnn; he wes movit of ire and wraith aganis him because he hed abusit him be dinging of him, and referrit himself theiranent to to obey the kirkis ordinance, quhat soeuir it pleasit thair wisdomes to jnioyne him to do, as lyk vayes the said Johnn. The presbyterie, thairfoir, eftir tryell tane of baith the offenses ordanis the said Alexander Bawerly to pas to the paroche kirk of Fintray, on Sonday nixt, and thair, befoir the minister and congregation, ask God and the said Johnn forgeveness for the said offense, and confesse upone his kneis that he knawis nathing of the said Johnn, and his forbearis bot guid and honestie; and siclik, that the said Johnn forgeve the said Alexander than, and confesse that he had our suddenlie puttin hand on the said Alexander, and to be reconcilit togidder, and the said Alexander Bawerlay was admonisit that giff euir he committit the lyk sclander heirefter, than he salbe double punishit conforme to the discipline of the kirk in all poyntis.

The said day, Ronald Ronaldsone, in Dyce paroche, and Agnes Abirdene, the wyf of Andrew Chalmer thair, being citat to this day, witht certificatioun to heir and sie probatioun deducit aganis thame for the sclander of adulterie, committit be the said Ronald, with the said Agnes, and to purge thame selffis be thair aithes, &c. Comperit baith and confessit the same.

27th April, 1599.

Becaus the Frydday is the mercat ewin within New Aberdein and the citizence, and inhabitantis thairof ar haldin so occupeit that day, that thai can nocht guidlie resort to heir the doctrine of the exercise; thairfoir, the provest, and baillies being maist desyrous to haue the said exercise changet to Wednisday (quhen thai will be a gretar confluence than on Frydday), the presbyterie hes willit that the same be haldin one Wednesday, fra this furth till forder ordour be tane.

11th Julii, 1599.

The quhilk day, Mr. Williame Forbes maid the exercise, and Mr. Johnn Chalmer addit quha wes appointit to mak the exercise at the kirk of Kintoir, quhairat the haill presbyterie wes ordenit to be present and to visie that kirk, and so furth, ilk kirk efter uthir betuix and the nixt provinciall assemblie.

20th July, 1599.

The quhilk day, Mr. Johnn Chalmer maid the exercise, Mr Dauid Rait makis nixt at the kirk of Skeyne, quhilk is ordenit to be visit that day, togidder witht Kinnellar this daye.

Visitation of the said Kirk of Kyntoir, and first—

Mr. William Forbes, minister, wes remouit, and being censurit be inquisitioun of the eldaris, and remanent of the parochin, testifeit weill of him, declarand that he increscet baith in doctrine and in diligence anent the exercising of discipline.

Eldaris: Williame Fraser of Bogheadis, James Forbes, Mr. Alexander Dauidson, Johnn Keith, Diones Chalmer, Andro Chalmer, Thomas Craig, Johnn Fullartoun, Archebald Ewin, William Mackie, quha wer puttin in memorie of thair aithis and offices, and exhortit be the moderatour to purge sin and putt the actis of the kirk to executione upoun all persones culpabill, without exceptione or respect of personis, that God may be glorifeit amangis thame.

The moderator and remanent of the presbyterie ordainis the said mini-

ster and eldaris to raise lettres of horning upoun the persone Mr. Thomas Lumisden, for macking of chore wind thicht and watter thicht, *primo quoque tempore.*

And siclyk, the perochineris to mak the kirk, quhilk is the tua pairt, wind thicht, lyk as thai haue maid the same watter thicht, conforme to the order, be glassing the same sufficientlie.

That nane schear gressis in the kirk yearde in tyme cuming, onder the pane of viii s. for the first tyme, and sa furth, *toties quoties*, to be doubleit, sua that it sall be not lesum to the officear to haue the use of the gressis and schering theirof; and being schorne, to receave the same fra him, sic as it pleasis him to sell the gressis schorne to, &c.; and gif officear geves ony licence to ony persone to schear ony pairt or haill of the kirk yarde he salbe depryvit, *ipso facto*, quhilk officear, callit [ ], wes ordenit to oppin the kirk dur at the sone rysing, and lock it agane at the setting of the same, and wes admonisit to mend his negligence in his office, bayth in keiping of the kirk and executing of the actis of the sessione, quhilk he promisit to do faithfullie, quhairupone he is continewit in that hope to Michaelmas nixt, and the eldaris sworne and admonisit to assist him.

The buriall of the defunctis to be in the kirk yarde; and gif ony beis bureit within the kirke, being ane parochinar, sall pay iii lib., be intromettouris with the defunctis guidis and geir; and being ane stranger, or of ane uyer congregatioun, sall pay xx lib., except it be with the consent of the paroche, quhilk being interponit to pay bot iii lib.

That all keip the sermone on Sonday, and quha beis fund drinking or playing in tyme of seruice, sall pay conforme to the discipline of the kirk.

That thair be na play Sondayes heireftir, onder all hiast pane that eftir may follow.

Robert Andersoun, in Umbilhill, servand to Stephane Mackie, conuict in adulterie witht Margrat Dieauch, haffing ane wyff in Kinbethok, and uther wayes onlauchfull, ordenis him to reteir to his awin cuntry to his

wyff, and nocht to haue ony societie with the said Dieauch in tyme cuming, and to be punishit be the sessione of Kyntoir, conforme to the order. and ordenis the said Stewin to discharge him of his seruice, and quha receptis him fra this furtht to pay xl. lib

Marioric Chessour, adultrix, with George Tailyeour, fugitive, and now come agane in the cuntreyth, that nane receipt hir onder the former pane, unles she satisfie the injunctionis of the kirk.

Anent the cleist and sclander off Alexander Nicholl and Catharine Clerk, his spous, persewit befoir the sessioun of Kintoir aganis Margaret Leslie, spous to Gilbert Touch, and he for his interesse, efter consideratioun of the same be the presbitrie, the parteis wer aggreit be the mediatioun of the moderatour, and fand cautioun ilk ane, *hinc inde*. to uyeris, that giff ony of thame iniureit or molestit uyeris in tyme cuming, to pay. the offendar to the offendit or molestit, tuentie pound, *ipso facto*. The said Alexander and Catharine fand Dioneis Chalmer, and the said Gilbert and Margaret fand Johnn Leslie, hir father, for the penaltie, and Dauid Forbes become actit for thair keiping of guid ordour as said is, onder the saidis panes of xx lib., of the quhilk the saidis parteis become oblisit to releue thair cautionaris respective.

Williame Kellie and Elspet Leslie admonisit to abstene fra uyeris societie, witht certificatioun, giff thai be apprehendit togidder fra this furtht, that the same sall be haldin as confessit.

Thomas Mackie, with the consent of the parochinaris and minister, allowit to hald ane Inglische schole at Kyntor, and admittit to be clerk to the sessioun of the same ; quhairupoun he gave his aithe *de fideli administratione*.

Anent the augmentatioun of the ministers stipend and leving, being verie meine for the present, that he can nocht await upon his charge, the parochinaris to giff thair adwiss, and report to the presbyterie quhat thai will giff; quhilk, giff thai failyeis, the minister protestit that he wer frie, and to prowyde himself of ane place quhair he micht be better helpit.

John Leslie, vicare of Premnay, admonisit onder all hiast [pane], that eftir may follow, that he speik nocht, far les interrupt the minister in the executioun of his office.

Mr. Williame Neilsoun and William Forbes to proceid aganis Barbara Jeanis with the censuris of the kirk for hir contumacie, being relapse in fornicatioun witht James Smith and James Nichol.

It is statut and ordanit that nane procure affoir the session fra this furth, onder the pane of ten lib.

25th July, 1600.

Anent the slauchter committit be Andro Mengeis and his complices of vmquhill Gilbert Arthour, the said Androw being accusit thairfoir, affirmit that he did na thing without a sufficient warrand and powar of his majestie commanding him to slay the said Arthour, being his majestie his rebell, quhilk he offerit to produce befoir the presbyterie, giffing him competent tyme, the same being in Edinburgh for the present, send thair to produce for obedience to our souerane lordis lettres: and thairfoir desyrit that the presbyterie wald assigne him the day, and he wald produce his commissioun and authorite, and satisfie the brethre: quha ordenit him to produce the said commissioun and declaratour of the justice generall and absoluitour betuix and the last of September nixt, onder the pane of excommunication.

The quhilk day, being assignit to Mathew Stenchin, kirk officiar of Skeyne, to heir and sie him selff mak his repentance for the procuring unto him selff at the Erle Merschaillis handis ane assedatioun of Johnn Quhyts croft, he haiffiing thrie yeris tak to run thairoff, and for the macking of ane lie, and sclandering of Mr. Alexander Youngsoun, minister of the said kirk of Skeyne, saying to the said lord that Mr. Alexander hed sauld his richt of the said croft to the said Mathew, the presbyterie finding the premissis to be of treuth, and that the said Mathew hed publiclie defyit the ministeris, ordenit him to pey fyve lib. of penaltie to the collectour of Skeyne, and to sett 3 Sondayes on the stuill; and, if euer he sute for that croft heirefter, he sall be excommunicat *ipso facto*.

3d October, 1600.

Quhilk day, efter the assignatione of sindrie and diuerss textis be the presbyterie foirsaid, for tryell of Mr. Archibald Rait concerning his lyf, literature, and qualificatione, and this day being assignit for the last terme of his tryell, comperit the said Mr. Archibald at the said college, and maid the exercise, in presence of the presbyterie, upone the ordinarie text of the exercise; and, forder, for forder tryell of his lyff and conuersatioun, it wes requerit be the moderatour at the commissioneris of Kyntoir, being present, and cum to giff thair consent to his admissioun to the ministerie of that kirk, giff thai hed ony thing to oppone or allege aganis the said Mr. Archebald quhy he aucht nocht to be admittit to the office of the ministerie at Kyntor, and thai affirmit that thai had nathing to say bot he wes meit for thame, and he wes of guid lyf, as lykwayes the principall and maisters of the said college, with quhome the said Mr. Archebald hes bene conuersant frome his yowth, geve ane honest testimonie of him. Efter tryell of him be questionis, quhair he satisfeit the brethrene, the moderatour and remanent of the presbyterie, with the consent of the commissionaris direct from Kyntor, to crave his admissioun, in respect it wes verie populus, and a gryt parochin destitut of a minister, and he micht edifie, admittit the said Mr. Archibald in and to the functioun of the ministerie of the said kirk of Kyntor, and hes tackin his aith for faithfull administratioun and discharge thairof, obedience to His Majesties authoritie and to the kirk; and hes desyrit the parochineris to acknawlege and obey him as thair pastour, and ordenit the clerk to forme his admissioun, and contene in the conclusioun thair request to the parochineris to receave him hartlie and gif him obedience; and siclik, to insert a request to the Lordis modifearis for inbuiking and inrolling him in the buik of platt, and assigning him a sufficient stipend upone the productioun of thair admissioun. Quhairupoun the said Mr. Archibald tuik act of presbyterie.

2d January, 1601.

Anent the actioun of nocht subscryving to the religioun, and nocht communicating, persewit aganis Johnn Leslie of Wardes, being citat to this day as for the 3 tyme, onder the pane of excommunicatioun, comperit the said Johnn, and excusit him selff that he cam nocht at first citatioun, as being up in the cuntreytht; and forder, offerit to satisfie the kirkis

desyre in all thingis, nocht onlie to subscryve, bot to sweir to the religioun, and to communicat at his awin kirk, at sic tyme as thair wisdomes wald appoinct; and thairfoir the presbyterie thocht it maist meit that he suld communicat at the Lordis tabell on Sonday the [ ] day of this instant, quhairunto the laird descendit and promisit to keip; as also, being desyrit that he wald causs his ladie be present with him, and to be partakar with him, and to subscryve as he did: ansuirit, in thingis concerning hir saull and conscience, he had na powar to command her, bot suld do all he docht to move hir thairto, let the ministeris deall with hir utherwayes according to the discipline of the kirk. The moderator, in name of rest, ordenit him his ladie to be present and satisfie the kirk as said is, the said daye, onder pane of excommunication.

And quha sall gang thair and receave his confessioun and ministrat the communioun, quhither the moderatour, the bischope, or Mr Dauid Rait, in the nixt exercise it salbe concludit; becaus the bischope being south, sall, God willing, returne betuix this and than, that he may occupie the pulpet that day, ather in Aberdene or Dyce.

6th February, 1601.

The quhilk day, the bischope declarit passing to Dyce, and thair wes reddie to haue ministrat the communioun to the Larde of Wardes and his ladie efter the subscryving the Confessioun [of] Faith, quhilk he hed reddie ther to present to thame, and nane compeirit thair, bot send a lettre to him, excusing him selff that it ves a wechtie mater, and he wes a young man, and nocht weill resolued in the heidis of his faith, and thairfoir desyrit that the kirk wald continew till that he wer better informit, and he suld satisfie the kirkis desyre, as the bischope declarit this daye at gryte lenthe; quhairupoune the presbyterie, fynding that he hed mockit baith God and his kirk, and violat his promeis maid to thame, orderit Mr. Williame Neilsone to summond him to the xx of this instant, to heir and he himselff onder lye the censuris of the kirk thairfoir, according to justice.

20th February, 1601.

The said day being assignit to Johnn Leslie of Wardes, and Elspet Gordoun, his spous, till haue ansuerit and giffin a sufficient reason of his

nocht communicating with his wyf at the kyrk of Dyce, and for the nocht subscrywing and swering to the trew religioun, according as wes mowit to him witht his awin consent and faithfull promeiss, maid to the kirk as the act beris. Comperit Mr. Williame Nelsone, and producit ane summondis dewlie execut againis the said Johnn and Elspet Gordoun, his spouss, as in the summondis at mair lenth is contenit: nochtwithstanding being oft tymes callit, did nocht compeir. The presbyterie, in respect of thair willfull contumacie, being oft tymes citat, and disobeyand, ordenit the said Mr. Williame Neilson to proceid with the censuris of the kirk aganis thame; alwayes for the mair abundance, let them haue ane intimatioun befoir he proceid to prayer or admonitioun.

27th February, 1601.

The quhilk day, being assynit to Mr. Williame Neilsone to produce a lauchfull intimatioun maid to the Larde of Wardes and his ladye, comperit the said Mr. Willeame, and producit ane summondis, quhairbe he intimeit and chargeit thame at thair duelling places, and publiclie at thair paroche kirk of Dyce, deulie execute and indorsit, desyrand thame as of befoir, to subscryve and communicatt, conforme to the order, onder the pane of excommunication, quha being obstinat and nocht comperand, being oft tymes callit, lauchfull time of day abiddin, the presbyterie ordenit thame to be excommunicat efter admonitioun and prayers. And that the said Mr. Williame giff thame the first admonitioun at the kirk of Dyce on Sonday nixt; and Robert Forbes to gang to Fintray and supplie his absence.

13th March, 1601.

The quhilk day, Mr. Williame Neilsone being inquerit on his diligence anent the Larde of Wardess and his ladie, that becauss the ladie had offerit to subscryve and communicatt within fourtie dayes, he desistit, and gave nocht the admonitioun. This wes his answir and excuse: The presbyterie offerris yit, as of befoir, this courtasie, that, giff he will find sufficient caution, under the pane of tua thousand markis, to satisfie within fourtie dayes, thai will continew him and thair censuris. Utherwayes, ordenit the said Mr. Williame to go fordwart to the finall pronunciatioun of the sentence of excommunicatioun.

20th March, 1601.

The quhilk day, anent actioun of adherence persewit be Gilbert Tilliry, in Kear, within the paroche of Balhelvie, aganis Isabel Tailyeour, his wyff, and [ ] Tailyeour, hir father, comperit the said Gilbert, and gave in his bill of complaint, shawing that albeit the said [ ] Tailyeour be oblisit in contract of mariage to susteine the said Gilbert and his said spouss, yit hes nocht onlie him debarrit fra his societie, and will giff him na sustentatioun, bot forder hes be his persuasioun allurit his said dochter nocht to have companie with him in bed as becumis a manis wyff, as the bill beris. *Ex aduerso*, comperit the said Isabel and hir father, and affirmit that he wes impotent as apperit, for his dochter hed lyine with him four nichtis in bed, and he culd nocht do the office of a housband to hir his mareit wyff; and she said she wald neuer companye with him ony mair. Anent the quhilk because she departing with the [ ] fra him, and the presbyterie saw na thing to verifie their allegeance, thairfoir ordenit the said [ ] Tailyeour to take hame the said Gilbert to houss agane, and treit and interteane him with his dochter, the said Gilbertis wyff, at bed and burde, conforme to the promeis made betuixt thame until Witsondaye nixt, becaus the said Gilbert hes nocht ane houss for the present; and the said Isabel wes ordenit to adhere to hir housband in bedding and utherwayes, onder the pane of excommunication; and the said [ ] Tailyeour to be proceidit witht the same censuris, in caice he refuse the premissis; quhairupone the said Gilbert askit act of the presbyterie.

10th April, 1601.

The quhilk day, Mr. Williame Neilson reported he gave the last admonitioun to the Larde of Wardes and his ladie on Sondaye last, the fyift of this instant, at the kirk, to subscryve the articulis of faith and to communicatt at the Lordis [tabell], conforme as wes decernit to thame to do, onder the pane of excommunicatioun; in respect of thair obstinacie and admonitionis alreddie past, the said Mr. Williame wes orderit, onder the pane of deprivatioune, to pas to the said kirk of Dyce, and thair proceid aganis thame with the first prayer for thame; and Mr. Robert Mercere to pas thair on Sondaye cum aucht [dayes], and proceid to the second prayer.

The quhilk daye, comperit certane of the eldaris of the said citie, and

shew that ther wer certane who hed committit harlottrie amangis thame, and wer ordenit to abstene, under the pane of banishment to thame, *ipso facto*, giff euir thai wer fund to have copulatioun and societie witht utheris out of mariage, yit thai keip companie witht utheris as mareit personis; quhairfoir desyrit the presbyterie to interpone thair auctorite to thair ordinance and act of thair sessione, quhilk the presbyterie ratifeit and allowit weill off, and ordenit the eldaris and bailyeis of the said citie to put the said ordinance to executioun aganis sic odious personis exactlie, witht possible haste, onder the pane of excommunication, quhilk the minister of the said kirk wes ordenit to pronunce aganis the saidis magistratts, in caice thai failyeit or wer negligent thairin.

The quhilk day, according to the desyre of the last Prouincial Assemblie at Aberdeen, haldin in the said month and yeir, convenit, with Mr. Peter Blackburne, moderatour, chosin of the presbyterie [of] Abirdene, the brethrene thairof, and (in respect of the vechtie mater wrettin) wer present witht thame the presbyterie of Ellone.

George Gordoun, appeirand of Geycht, being callit (according to the commissioun gevin be the last provincial Assemblie the fyftene day of the sessioun thairof, to the saidis tua Presbyteries of Aberdene and Ellone coniunctlie, to haue ather receauit the said Georges aith, subscriptioun, and cautioun to communicat witht the true faith and religioun professit within this realme, or than to haue proceidit to the pronunciatioun of the sentence of excommunicatioun aganis him in all the kirkis of baith the saidis presbyteries, as the act of commission maid in the said Assemblie, and the autentik copie thairof send to him selff be his awin servand, Andro Wode, beris), comperit not, bot the said Mr. Peter Blackburne producit tua missive lettres, wreittin from Falkland the 22 of this instant, excusing his, the said George, absence, the one wrettin be the Marques of Huntlie, berand that he causit the said George ryde with him south, being chargit in his majesties adois, and wald nocht suffer him to leve him; and, thairfoir, praying the presbyteries to excuse him for 14 daies, and then he suld compeir. The uther lettre, wrettin be the said George him selff, berand nocht onlie the said excuse contenit in my lordis lettre, bot also that Young Bonitoun, his brother in law, wes in danger of his lyfe at Edinburgh, and to be

executit, as he fearit, this xxiiii of Aprile, and becauss uther freindis wald nocht travell for him, &c., as tua uther lettres wrettin be young Bonitoun to the said George to that effect contenit, quhilkis wes also producit and red befoir the saidis presbitries; togidder with ane lettre wreittin be the said George to Mr. Robert Maitland of Monlatie, bering that he was than at Strathbogy witht my lord quhen he red southt, and knew nocht of his diet, and wes resoluit to keip at Abirdene the day appointed be the said provincial, to compeir befoir the saidis presbyteries, unles my lord, his chieff, compellit him to ride southt witht him. Quhilkis premisses being considerit be the brethre of the saidis tua presbyteries, and finding thir vechtie necessiteis, hes aggreit to the continuation of the excommunicatioun and caussis concerning the said George *in eodem statu quo nunc*, unto the viii of Maii nixt, conforme to the desyre of the saidis lettres of request: certifeing the said George, and he compeir nocht, and satisfie nocht, according to the desyre of the ordinance of the said Assemblie, that the saidis tua presbyteries will pronunce thair sentence of excommunication conforme, as wes inionit.

8th May, 1601.

The quhilk day, being assignit to George Gordoun, appeirand of Geicht, be continuatioun, being at the point of excommunicatioun, to be pronuncit be the brethre of the saidis tua presbyteries aganis him gif he refusit to subscryve, sweir, and communicat, according to the desyre of the ordinance of the said Provincial Assemblie, as the same contenis at lenth, comperit the said George before the said moderatour and tua presbyteries; and, efter lang conference with him, hes yeildit to continew the sentence of excommunicatioun on pronuncit aganis him to the first of Julii nixt, upone thir conditiones: First, that this day efter nune he sall conferre with the Bischope of Abirdene, the said Mr. Charlis and Mr. James Rosse in New Abirdene, quha sall reid with him the Confession of Faith, and the larde shall shaw to thame his doubtis: and efter thair conference sall remitt his farther resolutioun to thame of his awin presbyterie, quhais doctrine on the presbyterie dayes he sall heir. And, for this cause, thai sall hald the exercise at the kirk of Methlik, quhilk is within les than a mile to his awin housse; and sall heir the publicque doctrine in the said kirk on the Sabbath dayes; and sall haue to conferre with him on Monunday and Thurisday euerie oulk,

Mr. Johne Harriot and Dauid Rattray, unto the last of instant Maii. And, gif upon this conference and hering, the larde beis nocht resoluit. he sall cum in at the same tyme to New Abirdene, and sall haue conference with the ministeris thairof, and haue the hering of the worde be the space of the haill moneth of Julii ; at the expyring and end quhairof he sall ather satisfie the kirk in subscryving, swering, and communicating with the trew religione presentlie professit within this realme; or than to be content to be excommunicat; or than immediatlie to depart aff this realme, without ony appellatioun fra the saidis tua presbyteries to ony assemblie, ather provinciall or generall. Unto the quhilkis haill premissis the larde oblisit him selff; and, in witnes quhairof, hes subscryvit thir presentis with his hand, daye, yeir, and place forsaid. *Et sic subscribitur*, George Gordoun, fiear of Geycht.

24th July, 1601.

The quhilk day, being assignit to George Gordoun, fear of Gycht, be ane citation deulie execut aganis him to this daye, to haue ansuirit befoir the Presbyteries of Abirdene and Ellone, baith present this daye, for the failzeing in performing of his conditionis, maid be him to the said presbyteries, [ ] videlicet for the non-observing of the Sabbath dayis, at his awin kirk of Methlik, heiring of publik doctrine thair, and nocht conferring witht Mr. John Hariot and Mr. Dauid Ratray, everie Monundaye eftir the dait of his obligatioune, quhilk is the 8 Maii, until the last of the same, and gif he culd nocht be resoluit be thame, till haue repairit to Abirdene at the said last of Maii, and remanit thair conferring with the ministeris thairof, be the space of the haill moneth of Julii instant, and at the expyring, that he suld ather satisfie the kirk be subscryving, suering, and communicating, or than be content to be excommunicat without ony forder, or than immediatlie to depart aff this realme, without ony appellatioun, as the obligationis of the dait foirsaid registrat in this buik, as is afoir wreittin beris, quhilkis, as said is, he hes nocht kepit, and thairfoir till haue hard himselff excommunicat, &c., quha being callit, compeirit nocht, bot Williame Gordone, his father, and producit tua testimoniallis, testifeand his diseass, quhilkis the presbyteries fand irreleuant, becauss thair was na offer maid thairwitht that he wald satisfie, alwayes upon his fathers ernist request, continewis the pronunciation of the sentence againis him in *eodem statu quo nunc*: That and he satisfie

nocht betuixt and the xv dayes (quhairunto all the proceiss is continewit), as said is, the sentance sall be pronuncit aganis him in all the kirkis of baith the presbyteries, upoun the nixt Sonday thairefter, be everie minister, without ony forder. This wes done in presence of the said Williame Gordoun, quhais aduertizment is appointed to stand for a lauchfull warning to the said George, for he is warnit heirto, *apud acta*, with certification as said is.

7th August, 1601.

[At Auld Abirdene], The presbyteries, upone the universall and havie complaint of the congregatioun, baith of eldaris and utheris, for the laik of doctrine on Sonday eftir nune, decernit and orderit the said Principall to teache befoir nune, and the sub principall, quhen he is admittit to teache eftir nune, that the people may be comfortit, and may sanctifie the Sabbath, and be occupeit in the hering and meditatioun of the worde; and, in the mean tyme, the Principall and remanent maisteris of the college to supplie eftir nune ay and quhill the electioun and admissioun of the subprincipall.

That nane haiff vote in the sessioun bot onlie the ministeris of the kirk and eldaris, and giff the sessioun can nocht aggrie upone the mater cuming befoir thame nor can nocht discusse the same, to refer the decisione thairof to the presbyterie.

The quhilk day, being assignit to George Gordone, fear of Geicht, be citatione, *apud acta*, and forder, for the mair abundance, Mr. Jon Mercere, his minister of Methlik, chargit him till haue compeirit this daye till satisfeit the former ordinance be subscryving and suering to the true religioun professit within this realme, or than passit aff the realme, or than to haue harde him selff decernit to haue bene excommunicat on Sondaye in all the kirkis of this presbyterie, according to the tenour of the obligatioun subscryvit witht his hand as affoir wreittin, and ordinance maid at Balhelwies in the last visitatioun thairof, quha being callit, comperit nocht him selff, bot be ane servand of his, callit [ ] Gordoun, produceand ane lettre of the lardis, subscryvit with his hand, of the quhilk the tenour followis:— Efter my hartlie commendatioun, pleas your wisdomes, being desyrit to

keip this Fryday, the sewint of August, in the college kirk of Auld Abirdene, to heir and see my selff excommunicat, quhilk sentence of excommunicatione I desyre nocht to incurre: Pleas your wisdomes, I luik for clemencie, and that ye will pitie to my estait; and in respect I haue deadlie diseass, quhilk makis me unable to leave the cuntreytht, quhilk I referre to God and thame quha resortis with me, althocht, perhappis, your wisdomes may think it bot ane fenyeit excuise. Befoir God I persuaid my selff that I haue fewe daies to leve in respect of yeiris; heir I offer to your wisdomes to warde my selff within my awin houss and ane myle about me, induring your wisdomes pleassouris, and in the mean tyme I sall recept nane quha is excommunicat (my bed fellow being exceptit), and sall recept nane bot sic as sall be frie, baith be your kirk and be his Majestie ciuill lawes of the cuntreytht; as also, giff it sall pleas your wisdomes to appoint ane uther place, I sall enter my selff in warde, quhair I desyre to conferre and haue resolutione at all tymes quen my deadlie seiknes dois permitt. I persuade my selff ondoubtitlie that ye will nocht be hastie in pronuncing the sentence of excommunicatione aganis me, for I knaw ondoubtitlie that sentence will preiuge my wardlie estait, and wil be ane greit motione to yow of the Kirk in Scotland to crave my blude. I heir offeir, giff thair is nathing can satisfie yow [if] I remane Catholick, bot my bluid and wardlie wraik, to enter my selff, as I haue said befoir, in ony place ye pleis till opponit; and giff it sall pleis Majestie and your wisdomes of the Kirk of Scotland sa to tack my bluid for my professioun, quhilk is Catholick Romane, I will maist willinglie offere it for the same; and giff sa beis God grant me constancie to abyde the same, nocht trubling your wisdomes witht forder at the present, luiking for your cheritable ansuir in wreitt with the berar, committis yow to God. Frome Kellie, Auguste, the vi of Auguste, 1601. *Et sic subscribitur*, your wisdomes assurit freind, George Gordone, fear of Geicht. Quhilk being publictlie red and considerit be baith the saidis presbiteries, in respect that his present seiknes wes nocht sufficientlie testifeit as a iust caus of his absence, nor na offerre maid be the said lettre that micht move thame to stay frome the excommunicatione aganis him, and in respect he cumis nather to conference nor heris the worde, according to his promeiss and obligatioun gewin to the saidis presbyteries of befoir, of the dait at the college kirk of Auld Abirdene, the 8 of Maii last bipast, and that he is nocht departit aff the realme, nor hes nocht subscryuit, suorne, nor communicat according

to his promeis contenit in the former obligatione befoir the first of Junii last, nor yit sen syne, bot professis him selff ane Catholick Romane, as his said lettre beris; heirfoir, baith the saidis presbitries, all in a voce and consent, hes concludit that onles the said George Gordone, fear of Geycht, compeir this day aucht dayes in the sessioun hous of New Abirdene, befoir the saidis presbitries, viz., the fourtene of this instant August, and thair mak sic offerres and suretie for performing of the same as may lauchfullie stay the said sentence of excommunicatione, and the presbyteries satisfeit thairwitht, that upone the Sonday nixt thaireftir, quhilk is the xviii of the said moneth of August, he sall be excommunicat in all the kirkis of baith the saidis presbyteries, without forder delay.

14th August, 1601.

The quhilk day, comperit, befoir the saidis tua presbyteries, Williame Gordone, servand to George Gordoun, fear of Geicht, and producit ane lettre subscryvit be the said George, bering that he had receauit the act of thair last conuentioun, chargeing him to compeir this daye befoir thame, and ather to mak sic offerres as micht move thame to stay the sentence of excommunicatioun aganis him, or than to heir and see him selff decernit to be excommunicatt, &c., and sic lyk. Williame Gordoun of Geicht, his father, compeirand for the said George, his sone, allegit that lettres wer rasit at the instance of the Erll of Erroll his freindis and servandis, to charge the said Williame and George to compeir and onderly the law for blude, &c. (execute at Turriff); and that, giff the said George wer excommunicat, he culd nocht haue *personam standi in judicio*, &c. The said George also macking offerris to warde him selff in ony place quhair the saidis presbyteries suld appoint, and to heir and receave conference; and to admitt na man in his companie quhome-witht the presbyteries suld be offendit, nor excommunicatis (his awin onlie wyff being exceptit); and to sett cautioun for obseruatione of the same, as at mair lentht is contenit in his lettre producit. The quhilkis thingis, being considerit by the saidis presbyteries, and the larde of Colpnay, to quhome the said George be his lettre committit credeit, being inquireit, testifeit baitht of the said George seikness, and of the bettir hope that he hed that he wald conforme himselff to heir the worde, &c., thairfoir hes yit continewit the decreit of this excommunicatione to this day xv dayes, witht thir conditionis, that, betuix and the said daye, the said

George suld cum in to New Abirdene, with aduertisement of xxiiii houris befoir his cuming maid to the ministeris thairoff; and sall act sufficient cautione, onder the pane of v^c^ merkis, that he sall cum to Abirdene, and remane thair witht all diligence afoir the said daye, and heir conference and publick doctrine in the ordinar dayes of the preching; and sall receave nane in his companie, papists or strangearis; and sall nocht use ony exceptioun of charges to elude and frustrat his residence, conference, or hering of publick doctrine; and that, according to his formar obligatioun gevin to the saidis presbyteries the aucht of Maii, 1601 yeiris: utherwayes, without ony forder delay, to be decernit the said daye to be excommunicatt on the nixt Sondaye thairefter in all the kirkis of the saidis presbyteries.

11th August, 1601.

Compeirit in presence of the saidis tua presbyteries, certane freindis of the wyff and bairnis of umquhill Patrik Johnnstoun, in the Haltoun of Balhelwies, for thame selffis, and in name of the said wyff and bairnis, and presentit in thair names ane havie complaint in judgement, lamentablie complenand upone Patrik, Lord Glammis, and Johne Lyone, sone to John Lyon, Rachalhill, Johne Lyon, sone to Patrik Lyon, burges of Dundie, Johne Scrimgeour, John Admestoun, Fergous Murraye, Williame Lyon, servand to the said John Lyon in Rachalhill, and [ ] servand to Dauid Wode, with thair complices, for the maist cruellie and unmercifullie invading the said Patrik Johnnstoun, with pistollis and suordes, and slaying of him in the tyme of the ministratione of the sacrament of baptisme, cuming furth of the kirk of Balhelvies, a tua space fra the dur thairof, and that upone Sondaye the sext of this instant monetht, and yeir foirsaid, desyring thairfoir the presbyterie of Abirdene, becauss the said heynouss offense wes committit within thair [bounds], to use the censure of the kirk aganis the said Lord and his saidis complices; and forder, be thair testimoniall and supplicatione, thair wisdomes wald notifie it to thair Maiestie Counsall and Iustice, beseiking his grace and his hienes iustice to execute iustice, &c., as the complaint in the selff contenis at mair lenth; anent the quhilkis, the presbyterie foirsaidis, for removing of the sclander, hes ordenit that the said lorde be citat, onder the pane of excommunicatione, to satisfie for the said offense according as sal be inionit to, and ordenis the clerk to giff furth a citation to that effect, and

Mr. Dauid Rait, to trauell witht my lord in the mean tyme, baith for the satisfactioun of the kirk and pairties offendit.

The quhilk day, being assignit to George Gordone, fear of Geicht, upone ane lettre of his awin, sen the last act send be him to the moderatour, and his ansuir, requesting the said George, and chargeing him, in name and as moderatour of the presbyterie, to cum in to Abirdene befoir the saidis tua presbyteries, and ansuir for him selff, he being oftymes callit, and nocht compeirand, bot Alexander Wode of Colpnaye, and Sir Thomas Car, comperand and offerand, in his name, that he suld keip his awin kirk or than departe of the cuntreytht within fourtie dayes, and to sett cautione thairon. The tua presbyteries, eftir consideratione of the saidis offerris, being far les than wes contenit in his obligatioune, and sindrie lettris send to thame befoir, and that the offerris ansuirit nocht to the last act maid in presence of Williame Gordoune of Geycht, his father, and of the said Alexander Wode of Colpnaye, quhairof the said George receauit the just copie; thairfoir it is concludit, be baith the saidis presbyteries, that unles he satisfie the tenor of the said last act, of the dait the xiiii day of August last, betuix and Thurisday nixt, quhilk is the 17 of September instant, he sall be excommunicat in all the kirkis of baith the saidis presbyteries, without langar delay; and heirupone everie minister was chargit, under the pane of deprivatioun, to execute and pronunce the said sentence of excommunicatioun aganis the said George.

25th September, 1601.

The quhilk daye, anent the actioun and cause of the wyff, bairnes, and freindis of umquhill Patrick Johnnstoun aganis my Lord Glammis and his complices, for the slauchter of the said umquhill Patrick, quha being callit, comperit Mr. Thomas Gardyn of Blairtoun and Mr. Robert Paip, in name of my lord, and affirmit that my lord wes in Glammis (quhilk is outwitht the province of Aberdeen sen the committing of that fact), and aucht to haue hed xv dayes, in respect of the mater being of sa vechtie importance, and suld haue intimat the citatioun at the mercat croce, bot nather the ane nor the uther hes bene done, bot onlie summondit upoune four dayes, witht money uther reasonis; quhilk being considderit be the presbyteries, wes fund relevant, and thairfoir ordenit the said lord to be citat *de nouo* at the mercat croce be oppin proclamatioun and at Glammis be intima-

tioune, to compeir befoir the nixt Provinciall Assemblie, to be haldin at Aberdeen upon the xiiii day of October nixt. and thair to heir and sie thair decreit anent his satisfactione.

20th November, 1601.

The quhilk day, Walter Ronaldsone. in the Kirktone of Dyce, being citat to this daye, as he that wes dilate to haue familiaritie of a spirite, comperit, and being examinat, confessit that, upone a 27 yeiris syne, there came to his dur a spirit, and callit upone him, Wattie, Wattie, and this wes in the barley seid tyme, and thairfra removit, and thaireftir came averie yeir twa tymes sen syne, bot saw na thing, bot harde a voce as said is. In speciall at Michaelmes in 1600 yeris it came quhair the deponar wes in his bed sleipand, and it satt down anent the bed upoune a kist, and callit upone him, saying, Wattie, Wattie, and than he wakynnit and saw the forme of it, quhilk wes lyke ane litill bodie, haiffing a scheavin berd. cled in quhyt lening lyk a sark, and it sed to the said Walter, thou art onder wraik ; gang to the weachmanis houss in Stanivoid, and thair thow sall find baith siluer and gold with weschell, quha, according to the directioun, geid to that place, haiffing witht him spaidis and cumpanie, and culd find na thing, and he wes poustaless he culd not do na thing, alwayes thai that wes with him, viz., Patrik Gray, John Baith, and William Paul, and they [serchit] kist, bot fand na thing. The persuaideris of him to gang thair wer his wyf and bairnes, and beleives thair is gold thair, giff it wes weill socht. Mr. Williame Nelsoun, his minister, reportit that he is a diligent hearer of the worde, and communicat with the Sacrament of the Lord Table : and Mr. Williame to try forder of him.

4th December, 1601.

Quhilk day, being assignit to the commissionaris at thair meitting at Montrosse, be citatioun, *apud acta*, be Mr. James Rosse, moderatour of the last Provinciall Assemblie, to Patrik, Lord Glammis, to haue comperit this daye to heir and sie injunctionis injoined to him for his satisfactioun to the kirk for the slauchter of umquhill Patrik Johnstoun, comperit Mr. Thomas Gardyn of Blairtoun and Alexander Wode of Colpnay, in name of the said lorde, be vertew of ane warrand in wreitt onder my lordis subscriptione, and offeris, in my lordis name, as his lordschip offerit of befoir at Mountrosse, satisfactione baith to the kirk and partie.

Bot becaus the kirk can nocht weill receaue satisfactione be repentance befoir satisfactioun to the partie, and that the Larde of Caskeben and his freindis. James Arbuthnot and his freindis, will nocht aggrie to the propositione maid at Mountrosse for the forme of the reconciliatione, bot hes send ane uther forme of thair awin to my Lord Glammis, be the said Mr. James Rosse, differrent frome that propositione maid to my lord, craveing offerris in particular first be made be his lordschip, &c., as the same beris; thairfoir the presbyterie hes thocht it maist meit and expedient to wreitt to Mr. James Nicolson, minister at Megill, and Dauid Broun, minister at Glammiss, to deal with his lordschip for macking of sum reasonable particular offerris, with nominatioun of sum freindis and of the ministeris, for his awin pairt, as pleasis him, and to bring witht thame in this cuntreytht, to the presbyterie of Abirdene, the saidis offerris and nominatione; and this presbytrie to comwne witht thame, to travell witht, and for persuading of Caskeben for submissioun, and in the meantyme continewis the actione. *in eodem statu quo nunc*, to the first of Januar nixt, *partibus apud acta citatis.*

15th January, 1602.

[At Durris.] Maister Alexander Youngsone, minister thairof, being removit and censurit, wes allowit and commendit in his doctrine, alwayes being complenit on be his congregatione that he come onlie ewerie secund Sondaye, quhilk thai wald wer ewerie Sondaye, quhairof he gafe certane excusis that he wes appointit minister of ane uther congregatioune, quhilk he behuffit to serve as weill as thame, and the staye wes the tempestuouse wadder and gryte rivar being fillit with yce and snaw, quhairupone the said Mr Alexander wes ordenit to mak his residence at the said kirk at Witsondaye nixt, at the leist agane the nixt visitatione of the said kirk, quhilk he promisit to do.

The quhilk day, Alexander Gordoun wes ordenit, onder the pane of excommunicatione, to pay to the collector of the penalteis, the soume of fyve merkis for the abuseing of James Milne within the kirk of Durris, in tyme of diuine seruice, and forder, to sett doun befoir the pulpett eftir the sermone, befoir blessing be endit, and thair confesse his offense to God and forgewenes of the said James to ask; and the said James to humell him-

selff on his kneis, siclik grant his offense and allegit sclander of the said Alexander, his dochter affirming that it wes fals and fenyeit, that he spak concerning her, and that he leid, craveing hir and hir father forgewenes for the same, &c.

The stipendis off the ministrie off the presbyterie off Aberdeen for modefeing of contributionis, &c. :—

Mr. Peter Blakburne,	700 merkis
The Colledge,	500 merkis.
Mr. James Ross,	400 merkis.
Mr. Archebald Blackburne,	400 merkis.
Mr. John Makbirnye,	300 merkis.
Mr. Patrik Gardyne,	400 merkis.
Johne Rocht,	100 merkis and 50.
Mr. William Neilsone,	100 merkis.
Mr. Robert Mercer,	200 merkis.
Mr. Alexander Youngsone for Durris,	200 merkis.
Mr. William Andersone,	100 merkis.
Johne Quhyt,	100 merkis.
Willeame Vallace,	100 merkis and 50.
Mr. Richart Ross,	100 merkis and 50.
Johne Myll,	50 merkis.
Mr. Archbald Rait,	50 merkis.

For contributing of ten pundis, modefeis ellewin hundrethe merkis to pay vi s.

19th February, 1602.

The quhilk day, anent the actioun and causs aganis my Lord Glammis and his complices, comperit Mr. Thomas Gardyn of Blairtoun and Alexander Wode of Colpnaye, and producit the autentick copie of our Souerane Lordis lettres, purchest be the wyff and bairnes of umquhill Patrik Johnstoun, aganis the said lord and his saidis, to onderly the law for the caussis thairin contenit, deuly execute and indorsat aganis thame to the 3 of Marche nixt, contening quhair the said lord hed fund cautione to onderlye the law, subscryuit be Williame Johnestoun, messinger, as the saidis lettres beris, of the quhilk the tenour folowis—[left blank]. In respect quhairof, the presbyterie hes continewit the actione *in eodem statu quo*

nunc, to the expyring of the said daye, and forder to the 26 of the said moneth and yeir.

26th February, 1602.

The quhilk day, comperit befoir the Presbyterie of Abirdene forsaid Johne Johnstoun of that ilk, for him selff, and in name and behalff of Margaret Arbuthnot, relicque of umquhill Patrik Johnstoun, in the Haltoun of Balhelwies, and the said umquhill Patrick's aucht fayerless bairnes, and cravit of the said presbytrie the testificatione of the treutht and maner of the said umquhill Patrickis slauchter, as they hed tryit the same befoir, be Mr. Patrik Gardyn, minister at Balhelwies, and Thomas Skeyne, kirk officear thair, quhilk petitione the presbyterie fund to be agreeable to reasone, and thairfoir testifeis to his Majestie and justice, that the said Mr. Patrik deponit quhat companie he saw witht my Lord Glammis at the kirk of Balhelvies upone Sondaye the sext of September last by past, that thair wes witht him in companie, Johne Lyon, sone to Johne Lyone in Rochlahill, John Lyon, sone to Patrik Lyone, burges of Dundie, John Scrimgeour, John Admestoun, Fergous Murray, Williame Lyon, servand to the said Johne Lyon in Rochlahill. Secundlie, being demandit gif the said lord and his complices forsaid invadit the said umquhill Patrik, deponit he knew nocht, in respect he wes than on cum furtht of the pulpet in the actione of baptisme. 3dlie, Being demandit quhat wapynnis they hed; deponit he saw the said Lord Glammis, his complices, and the said Patrik Johnestoun, haue suerdes dravin in thair handes, and siclik saw in John Lyon and John Scrimgeoris handis pistollis, and ane in the said Patrik Johnestounis hand. 4lie, Being demandit quhat place this wes; deponit the same wes in the kirk yarde of Balhelvie, on Sondaye, the said sext day of September, about tuelff houris. Fyftlie, Being demandit giff the actione of baptisme wes endit befoir they begane the truble; testifeis that he wes compellit to desist fra the actione of baptisme, and to cum furtht to the kirk yarde, to sie gif he suld stay the truble. And the said kirk officear beand suorne; deponit conforme to the said Mr. Patrik, *in omnibus*, with this additioun; being demandit gif the said Patrik, Lord Glammiss, drew the first suerde be him selffe or his complices, deponis he saw the said Lord Glammis draw the first suerde, and than beand furtht of the kirk yarde, he and his complices came within the same againe, and persewit the said

umquhill Patrick within the said kirk yarde, distant fra the said kirk dur tua space or thairby. Last, the said Mr. Patrik and kirk officear deponit and deponis that they saw na man with Patrik Johnestoun that day, to assist or to resist the invasioun, bot his wyff and tua young bairnes of young yeiris, within 9 yeiris auld the eldest; quhilkis depositionis, receauit be the presbyterie, testifeis to his Majestie and Iustice, to be conforme in everie point aboue wrettin, as thay ar particularlie deponit be the said minister and kirk officear, and subscryvit be thame, as eftir folowis, and extractit and giffin furtht onder the subscriptiones of the moderatour and remanent of the presbyterie, day, yeir, and place aboue wrettin. *Sic subscribitur*, &c.

11th June, 1602.

The quhilk day, anent the actione of sclander of slauchter of umquhill Patrik Johnstoun, persewit aganis my Lord Glammis and his colleges, the presbytrie, in respect of my lordis delay, and nocht macking satisfactioun, nather to kirk and pairtie, hes concludit and ordenit that the said lord be citat agane to heir and sie the processe begyn and proceid quhair it left, and execute the processe conforme to the discipline of the kirk.

2d July, 1602.

The quhilk day, anent the actione and causs aganis my Lord Glammis for the slauchter of umquhill Patrik Johnestoun, comperit Alexander Wode of Colpnay and Mr. Thomas Gardyn of Blairtoun, and producit my lordis lettre, togidder with the resolutioun of the ministrie of the southt refuseing to accept the arbitrement of that mater upone thame, for the caussis contenit thairin, of the quhilkis lettre and resolutione, the copie wes ordenit to be send to Caskeben. In the meantyme, continewis the actioun, *in eodem statu quo nunc*, to the 9 of this instant, to the nixt meitting of the brethrene in thair visitatione of the kirk of Dyce.

16th July, 1602.

[At Skene.] Item, it is concludit, that thair be ane privie inquest of the haill parochin of wiches, and sic as ar dilate, that thair names, with thair dictay, be wreittin in ane roll, togidder with the names of sic as they knaw maist meit to pas on thair assye, that knawis thair lyfe best: and this inquisitione to be maid betuix and the first of August nixt, and immediatlie

send to the moderatour, Mr. Archebald Blakburne, to be send inclosit be him to the Marcques of Huntlie, that the land may be purget of sic instrumentis of the dewill.

That the Erle Marschaell be desyrit that his lordship causs nocht his tenentis to raiss or transporte ony careage on the Sabbaoth. In the mean tyme, the violatouris of the Sabbaothe to pay 20 s., and mak repentance, at the discretioune of the sessioune.

23d July, 1602.

It is concludit, quha beis absent heireftir, or violatis the Sabbaoth be fischeing or schering, wynning and leding of cornes or peittis, or other siclik labour, being conuictit, to be poindit, according to the act of parliament; and, gif they be fund 3 Sondayes absent (except they be seik or aff the cuntreytht), in the yeir, to be excommunicat *ipso facto*.

6th August, 1602.

[At Belhelvie.] The quhilk daye, Johne Mureson, servand to Androw Gardyn, being accusit befoir the presbyterie, be the moderatour, for drauing of ane suorde in the kirk on Sondaye, confessit the same; and, thairfoir, he wes ordenit to sitt 3 Sondayes in the gowis, and uther thrie dayes in secklaytht.

3d September, 1602.

Anent the actioun of sclander and slauchter, committit be Patrik, Lord Glammis, and his complices, slaying Patrik Johnestoun, becauss my lord delayis and postponis to satisfie the kirk and partie, thairfoir it is aduisit and concludit be the haill presbyterie that my lord be yit citat, as of befoir, to satisfie, and to heir and sie himselff decernit, in respect of the premissis, to be excommunicat. Alwayes Mr. James Rosse requestit to pas to him and receave his utter answer heirin.

24th September, 1602.

It is complenit, baith be the ministeris and elders of the said kirk, of certane abuses that hed bene tolleratit amangis thame, bot nocht allowit, as of the ministratione of baptisme in tyme of prayers, the celebratione of mariages in the morning befoir preaching; and that albeit

the toune be distinguished in tua kirkis, yit they observe nocht thair awin kirk, bot promiscue, quhairthrow it can nocht be knawin quha is absent or present at sermonis, and sa utheris inconvenientis followis heirupone, as wes rehersit be the ministerie thairof. For remedie, it is concludit and ordenit, baith be the toun and presbyterie, in maner subsequent, that the ministratioune of baptisme sall be onlie on the day of preching, immediatlie befoir the sermone, be the minister that teaches nocht that daye, or, immediatlie efter the sermone, be him that makis the preching, quhairthrow the parent and witnessis may heir the doctrine, and apply it to the present actione, according as wes sett doun of befoir in the Sessioun Buik of Abirdene; quhilk the presbyterie, in all poyntis, ratifeis, apprewis, and confirmes be thir presentis: providing alwayes, giff the bairne be in perell and weak, quhilk sall be testifeit be the maid wyff on hir conscience, then the childe to be baptized on uther dayes; the minister to be dewly advertized heirof.

That mariages fra this furtht be solemnizat publictlie quhen the peple ar conuenit, be the minister that teaches nocht, immediatlie befoir doctrine, in the face of the people, becaus mariage and baptisme ar publicque actiones.

That thair be na gumphiones nor claithis at buriallis heireftir, onder the panes contenit in the said sessioun buik.

That buriallis stay nocht the minister to continew his preaching, bot keip his hour preciselie, sa that, gif he exceid his glasse, he sall be censurit in penaltie of geir.

That, fra hence furtht, ewerie Sondaye, at sewin horis in the morning, to the servandis and otheris, upone the catechisme, ane of the foir named ministeris sall teache; quhilk they haue promisit to do.

That catechizeing be ewerie oulk, on Thurisdaye, at tua eftir nune. The absentis thairfra to be punished, referring the modeficatioun thairof to the provest and counsall.

6th January, 1603.

The quhilk daye, anent the desyre of the marques of Huntlie, desyring the presbyterie to tak tryell of the wiches and consultaris witht thame, and to send to his lordship the delatioun, with the names of sic as ar maist meitt to pas upoune the assyse and tryell of thame, &c. The presbyterie, for obedience heirto, ordenit ewerie minister within thair pre-

cinct to tak ane subtill and privie inquisitioun heirin, *videlicet*, ilk minister, witht tua of his eldaris, that fearis God and ar maist zeallouss of his glorie, at ilk particular kirk *respectiue*, tak the aithes of the inhabitantis within thair charge, quhat they knaw of wiches and consultaris witht thame, and wreitt thair depositiones, and returne the same to the presbyterie, with the names of sic as ar metest to be assyssouris to thame. that the same may be send to the marques with all haistie expeditioun. conforme to the desyre of his lordshipis lettre, and his lordship may charge thame, and the better knaw quhome he sall halde iustice.

13th January, 1603.

The quhilk day, comperit, in presence of Abirdene sitting in jugement. Alexander Wode of Colpnaye, in name of Patrik, Lord Glammis, and producit his lordshipis lettre, of the quhilk the tenour followis. Quhilk lettre being considderit be the brethrene, findis that my lord hes na wayes satisfeit the desyre of the ordinance of the last sub synode at Aberdeen. and thairfoir ordenis ane citatioun, to be direct furth at the instance of the partie, to citat my lord to this daye xx dayes, the 4 of Februar nixt, to heir and sie it begyn and proceid quhair it left, in the actioun and processe of slander of slauchter, committit be his lordship in slaying of umquhill Patrik Johnestoun; and forder, to heir and sie him selff decernit to satisfie the partie and kirk, conforme to the desyre of the act of the said sub synode and discipline of the kirk, as in the summondis sall be conteinit.

4th February, 1603.

The quhilk day, anent the actioun and causs of slander of slauchter of umquhill Patrick Johnestoun, perseuit aganis Patrik, Lord Glammis, and his complices, committaris of the said slauchter, this day being assignit be ane citatioun to thame, to heir and sie it begyn and proceid quhair it left. and to heir and sie thame selffis decernit to be excommunicat for the said cruell slauchter, or than to produce befoir the brethrene of the said presbyterie ane sufficient and autentik lettre of satisffaction of the pairtie offendit, and to satisfie the kirk for the same, as the act maid thairanent beris; comperit Johne Gordoun, shyreff depute of Abirdene, and James Johnestoune of Badindaff, in name of the wyf, bairnes, and freindis of the said umquhill Patrik Johnestoun, and producit the summoundes. deulie

execute and indorsat, aganis the said Patrik, Lord Glammis, and his complices. committaris of the said slauchter, and desyrit the presbyterie to execute the censuris of the kirk aganis the said lord and his saidis, according to the desyre of the actes of the sub synode and presbyterie heir to foir, and summoundes fundit thairupoun. *Ex aduerso*, comperit Alexander Woid of Colpnaye and Mr. Thomas Gardyn of Blairtoun, certane offerris in my Lord Glammis name, or subscryvit be thame. and for the quhilk they wald not bind thame selffis in my lordis name. With the quhilkis offerris, actis, and summondis, the presbyterie being aduysit, findis that my lord hes na wayes satisfeit the present diet and desyre of the actis of the sub synode and summondis, and thairfoir ordenis that the censuris of the kirk be execute aganis my lord and his complices, committaris of that slauchter, be ewerie minister within the precinct of the presbyterie, suspending alwayes the first pubblick admonitioun of the censuris to be proclamit aganis him and his saidis, untill the 20 day of this instant. that gif it pleasis the lord and his foirsaidis to offerre satisfactioun according to the former ordinances, they may haue tyme and lassour to offerre and satisfie; and to that effect ordenis that the extract heirof be delyuerit to the said Lord Glammis commissionaris heireftir. Comperit, *in eodem judicio*, Johne Kingour, messinger, and aduocatit the actione befoir the Kingis Majestie and the moderatour and commissionaris of the Generall Assemblie, be virtew of ane citatione, gevin under the subscriptione of Mr. Patrik Galloway, moderatour of the said Generall Assemblie, of the dait at Halyrudehouss, the 29 day of Januare, 1603. Of the quhilk the officear delyuerit the autentik copie in jugement, with the principall, quhilk copie the officear subscryuit, as the same beris, and citat the said presbyterie and all utheris to the [ ] day of [ ] and yeir foirsaid, to heir and sie the King and Counsall modifie the satisfactioun to the pairtie, and giff furth thair aduiss thairintill, &c., and to compeir to that effect, the saidis day and place contenit in the aduocatione.

4th March, 1603.

The chief occasioun of the meeting of the brethren of sub synode being for resolutioun tacking, first, anent the papistis; 2d, anent non communicantis; 3, concerning the larde of Newtoune. Efter conference and mature deliberatioune, it is resoluit, that as concerning the first heid, that these papistis, trafficquearis with thame and thair receptaris, seing

they ar bissie to subuert and alter the stait of the true religioun and his maiesties estait, be diligentlie tryit, and inquisitioun laid be ewerie minister within thair awin boundis, and ellis quhair. And to returne this tryell, autenticklie subscryuit, and notit witht all the circumstances in wreitt, to Mr. Peter Blackburne, moderatour of the last Prouinciall Assemblie, witht all possible expeditioune, at the least betuixt and the next Synode.

29th September, 1603.

[New Abirdene.] Thair is sindrie that, cuming to the sermone, abydes nocht till the same be endit, but sum startis up in the middis thairof, and, being endit, the maist pairt removes, and tarries nocht the last prayer and blessing, quhilk is ane gryte offence and abuse of Godis seruice, and ewill exemple, quhairat the ministeris at thair teacheing ar nocht litill greivit; for remedie it is concludit, be the presbyterie, magistrattis, and sessioune, that the officearis of the toune, witht kirk officear, sall stand at the kirk dur during the tyme of diuine seruice, quha sall hald in and bring back sic as removis befoir blessing be endit, except they be seik and may nocht indure sa lang; and giff ony being stayit will nocht reteir, bot deforcis the officearis, the kirk officear to note thair names, and gif thame in wreit to the magistratis, and the magistratis to punisch as absentis and deforcearis sic as contemnis this ordinance, and sa to be double punischit.

It wes concludit, be the sessioun of Aberdeen, that certane suld giff up the names of prophaneris of Gods holie name to the ministrie of the toun, and they to be punishit, quhilk is nocht done as yit; and thairfoir the presbyterie ordenis that they be chargit to gif up the names of all that they knaw, als weill within brugh as strangeris, that abuses Gods holie name, and the officear to charge thame heirto to the nixt sessioun, and utheris then to be adionit to thame, gyf neid be for thair assistance.

The provest and baillies hes promisit that thair salbe na mercat on the Sabbaoth, neither of fische nor flesche.

That poore sall nocht sitt at the kirk dur nor within the kirk style on the Sabbaoth, but outwith the same, and that all deall be without the kirk to the poore.

For keiping of guid ordour within families of Aberdene, of banning, suering, and blaspheming, it is concludit, that thair salbe in ewerie houss a palmar, and the maister of the houss sall punish the suerar or bannar with the palmar, gif he hes nocht geir; or in geir, ewerie servand ane plack of his fie, or than the dred of the palmar, and all utheris within his power with the ane or the uther, onder the pane of tinsall of his honestie, &c.; and this the officear sall trye and sie be done, and the contempnar of this ordinance to be punishit be the magistratis and sessioun.

30th March, 1604.

The quhilk day, anent the directioun gevin be the last Provinciall Assemblie to the said presbyterie to trye and exame Mr. Thomas Gordoun and Mr. Jhone Synclair, petagogis to my Lord Gordoune and Master of Caitness, in thair religioun and upbringing of the lord and maister foirsaid, compeirit the said petagogis, and geff a confessioun of thair faithe and religioun professit presentlie within Scotland, and on thair conscience testifeit they saw neuir ane uther religioun within this realme nor out of the same, except that the said Mr. Jhonne declarit that he being in France be the space of tua yeiris or thairby culd nocht half the sight of the king thereof, and wpoun the informatioun and convoy of ane familiar of his, he saw the king at the messe, quhairunto the said Mr. Jhonn geff na reverence, for his goyng thaireto was bott to gett the sight of the king and nocht of the messe, quhilk he abhorris and detestis fra his hairt as he alledgeit, and onlie professis and acknawledgeis this religioun in Scotland to be the true religioun, unto the quhilk they sueir and subscryvit the confessioun thaireof in presens of the ministrie and presbitrie; and as to the instructione off the saide lord and maister, they declared that they teitchit thame Grammer and oratrie, and on the Sonday a lytill catechisme, and redd to thame the New Testament, and exponit the samen to thame. In end they war allowit eftir triell, and ordenit to be verey cairfull and diligent to treane thame up in that religioun quhilk they professit and hes suorne unto, and that they micht the better bring thame up, inioynit to thame to reid and teitche thame the confessioun of Beza and the catechisme of Calvin, and thairewitht to reid ilk day tua chapteris of the Bible; quhilk they promesit to do.

6th April, 1604.

The quhilk day, Mr. Thomas Mitchell teitchit on the sacrament of the Lordis Supper, and was allowit that he might enter in the ministrye, and at the kirk of Udnie, giff the perichonaris war content with him; quhairefor it was thocht mayst expedient for trying of thair guid will, and for prouisioun to him of a sufficient stipend, that an edict be scruit at that kirk, chargeing the perochineris to compeir befoir the Presbitrie of Ellone, within the quhilk the said kirk lyes, gyf the lyke of the said Mr. Thomas and his ministrie, and quhat they will gyf him in stipend, &c.

25th May, 1604.

The said day, Mr. Jhonne Chalmer, sub-principall, Mr. Alexander Youngson, and Mr. Alexander Scorgie, was ordenit to teitche in New Abirdene, baith on the Sondaye, and oulk dayis that are preitcheing dayis, in absens of Mr. Petir and Archibald Blakburnis, and during the absens of Mr. James Ross, quha ar chosyn commissionaris be the last Assembly ffor tryell taking of the haill ministeris of this province that hes sett or delapidat there beneficis in haill or in pairt, and thairfoir they man be absent from thair chairges during that triell taking; the quhilk tryell sall beginn at the Presbiterie of Turreff, upoun the fyft day of Junii nixt to cum, at vii houris in the morning, and ordenis the brethring of Turreff to be aduertesit for that effect. The nixt triell to be at Deir on the vii day of the said monethe of Junii, viz. on Thurisday: Elloun to be tryit on Freday nixt thaireftir, the viii day of the said moneth of Junii. As concerning the rest of the triell of the remanent presbiteries, and the appointing of thair dyetis, the same is referrit to the discretioun off the commissionaris in that pairt.

15th June, 1604.

The said day, the moderatour exponit and declairit that it was hevylie complenit upoun Mr. Richard Ross, minister at Dilmaok, that he was not sufficient nather in doctrine nor in his life and conversatioun, in sa far as it was reportit of him that he past to the pulpit to preiche rashlie but meditatioun, and that his doctrine was not formall, ather for the comfort nor for the edifeing of sic ane notable congregatioun, and thairfoir the said moderatour exponit this as one of the kirkis grivis to the Laird of Drum, exhorting him to assyst the brethring presentlie to tak sic ordour with his

minister as might best satisfie the nixt Assemblie, as also effectuat to him selff and the parochinaris a full contentment in tyme cuming, being sa notabill a congregatioun: and for him selff, laird almaist of the haill parochin, hawing his plaice of residence sa neire his paroche kirk, quhair oftin tymes sundrie nobill men fra the south dyd repair, and thairfoir na doubt wald dessir on the Sabboth till heire the word; and the said Laird of Drum offerrit him selff reddie to concur as he wes requered. Quhairfoir, the moderatour desyrit the laird, with the eldaris, as they wald ansuir to God, on thair consciences, to declaire the truthe concerning there minister, quha beyng suorne, deponit as eftir followis:

Johnne Irwyng, in the Sonnie Syd, beand suorne, deponit that Mr. Richert Ross, thair minister, was sum quhat edificative in his doctryne, and grantit that he past sum tymes, as he thoght, to the pulpit to tetch but meditatioun, and deponit that he thoght gif he wald occupy his booke weill that he might do better. Item, he deponit that it was true that his minister drank sum tymes in aill houssis as he hard be report.

Nicol Irwing, being sworne, deponit that as toward his ministeris doctrynn and qualificatioun thairanent, knaws na thing, and deponit, sen the last admonitioun he hes abstenit from drinking in aill houssis.

George Symsoun, suorne, deponit that as he supponis his minister is not sic ane persoun as he is bruited, and as toward his doctrine, giff he wald apply his mynd constantlie to his studie, that he wald teitche mekill better nor he dois.

Alexander Baxter, suorne, deponit that as toward the minister life he knawis na thing thaireoff, becauss he lyis far from the kirk; as to his doctrine, deponit that is ressonabill, and that he is very long or he begin the preiching.

27th July, 1604.

The said day, Robert Forbes, being hard wpoun the xix of the Actis of the Apostilis, verse [ ] the presbyterie thoght he did ressonablie weill on the said text; yit, understanding that the said Robert haid na knawledge of the Latine toung, and lykwayis esteiming him to be of meane knawledge, hes thocht goode to continew hym as abefoir, to the tyme of the Assemblie, that therewith they may be resoluit gif a man nocht haweing the Latine toung may be a minister, and, lykwayes, quhill they trie him be questionis quhow he is groundit upoun the commoun

heidis: and ordenit the said Robert to teitche this day aucht dayis upoun the 3d chapter of Johnnis Evangell, beginning at thir words, God sa lovit the warld, &c., and vi verses, at the kirk of Neig, the 3d day of August nixt to cum. And the said Robert refused to teitche that day, becaus he wantit ane Inglishe commentar on that plaice.

11th January, 1605.

The said day, the moderatour forsaid exponit to the brethring that the commissionaris direct from the last Assemblye, begun the 1 of Januar last, to the Marquess of Huntlie, for dealing with his lordship to subscryve and avow the present religioun, as it is establyshed baithe in doctrine and disciplyne within the realme of Scotland, receauit na guid ansuir of the said lord marqueis, but a plain refussall till obey thair dessir; and they thairfor haid sent in ane coypie of ane charge, quhairby they wer chargeit be the said marqueiss to decist and ceiss from wsing onie kynd of censuris of the kirk against him in that matter; and to compeir befoir the secreit consall, to heir and sie the censures of the kirk suspendit *simpliciter*, for the ressonis and caussis to be proponit and alledgeit be the said marqueiss: quhilk coppye, being considderit and redd in audience of the presbitry, to thair gryte greiffe of thair hairtis, in respect thair nevir was sic ane chairge direct be his hienes authoritie aganis the kirk sen the first reformatioun of religioune within this realme, and in respect that the said charge was not only oncouthe, bot appeirit to be a beginning of ane fyrie triell, quhairwithe God is to temp his kirk for probatioun of the faithe of his elect and chosyne chyldrene, that they quha persewaris unto the end may be safe: thairfoir, eftir the invocatioun off the name of God to assist thame that wer weik instrumentis in sa weyghtie a causs, it wes reassonit amangis the brethring quhider the first suld be gevin on Sonday nixt publictly to the said marqueis, or gif the same suld be continuit quhill Wedinsday nixt to cum, the xvi day of this instant, as the moderatour suld convene with the commissionaris at the kirk of Udny, and thairefter proceid witht sic celeritye and diligence, as the brethring convenit thair suld think expedient. Efter long reassoning had in this mater, and the voitis enquirit of euerie ane of the brethring quither they wald consent to proceid with the first admonitioun against the said marqueis on Sonday nixt, or to continew the same quhill Wedinsday nixt, quhen as the com-

missionaris wes to convene at Udny, the votis wes equall, sua that ane equall halff of the brethring that wes present consentit to the continuatioun of the admonitioun forsaid quhill Wedinsday nixt; the other equall halff voitit to proceid on Sonday nixt witht the first admonitioun agaynst the marqueis.

7th March, 1606.

The quantitie of the ministeris stipendis within the Presbyterie of Aberdeen :—

The Bischoip,	1700 merks.
The Colledge,	500 merks.
Mr. Archebald Blackburne,	400 merks.
Mr. James Ross,	400 merks.
Mr. Johne Makbirnye,	300 merks.
Mr. Patrik Gardyne,	400 merks.
Mr. Robert Mercer,	200 merks.
Mr. Alexander Youngsone,	200 merks.
Johne Rocht,	150 merks.
Mr. William Andersone,	150 merks.
Mr. William Neilsone,	100 merks.
Willeame Wallace,	150 merks.
Mr. Richard Ross,	150 merks.
Johne Quhyt,	100 merks.
Mr. Archebald Raite,	50 merks.
Johne Myll,	50 merks.

23d May, 1606.

The said day, Mr. Johne Makbirnie folowit furth the commond heid of controversie concernyng the power off the civill magistrat, as it wes ordenit the 20th of Marche last.

18th July, 1606.

[Belhelvy.] The said day, the haill millers within the parochine being summondit to compeir befoir the presbyterie, compearit, and, be thir presentis, actit thame selffis particularlie, according to the actes of the kirk, to absteine from millinge, grindinge, or scheilinge on the Sabboth day in tymes cumminge; and failzeing heirintill all ar content *toties quoties* they

offend, or ony ane off thame, to pay off penaltie the sowme of ten poundis money to the thesaurar off the kirk, to be applyit *ad pios usus*. And in caice ony off the saidis milleris beis fund to have receate and to have ground on the Sabbotht the stuff or cornis suknit or thrallit to ane uthir milne, than and in that caice the saidis milleris ar content to dubill the said penaltie.

3d July, 1607.

[Durris.] Upoune the uniuersall complaint in all the kirkis of the presbyterie that hes bene visitit at this tyme, complainand that mony servandis and utheris that hes houssis, castis thame selffis louss fra seruice, and gives up thair cottage and gress houssis, levand idill in the cuntreyth, sua that many ar destitute of servandis, and thay that leaves seruice leives inordinatlie to the ewill exempill of mony, and hurt of the commoun weill: It is thairfoir statute and ordenit, witht the commoun consent and assent of ewerie paroch, that na idill persoun be sufferrit, bot all be compellit to enter and to abides in seruice; and that this may be the better effectuat, it is ordenit that nane recept nor interteaine sic, bot hauld thame odiouss as infidelis, ay and sa lang they remane out of seruice: and quhasaever receptis, interteaines, or gevis herbrie, quhither it be broustar or uther houshaldar, sall pay, *toties quoties*, fourtie schillingis monee; and this to [be] tane up and employit to the poore within the paroche within the quhilk the persone conuict duellis, and the kirk to proceid aganis idill personis with the censuris ay and quhill they have fulfillit the contentis of this ordinance.

23d July, 1607.

[Banchorie.] Isabell Smith, in Couiff, being dilate of wichcraft, and callit, compeirit and grantit that James Bryanis wyff, haiffing hir dochter seik, callit Janet Mellit, causit the said Elspet tak a threid and a slew of the said Jonettis and put a threid about hir, to sie giff the seikness was the feweris or not. She affirmit she did na mair bot at hir command, and being Mellettis mothir. And the kirk of Nig (within the quhilk the said Elspet and Mellettis mother duellis) is to be visitit eftir, ordenit the said Elspet to be thair and the uthir, that that may be confruntit togidder, under the pane of excommunicatione and confermit wichcraft. The said Elspet haiffing denyit all wichcraft, the presbyterie tuik in probatioune sic

as they micht haue for the present, viz., John Jak, Jonet Jak, and hir mother, admittit and suorne befoir the said Elspet.

Johne Jak deponit that the [said] Elspet Mellet and his dochter, Jonet Jak, luffing uther weill, thay mett togidder, and his dochter being seik, Mellit sayis to his dochter, quhat aillis yow, and she sed she wes, and knew nocht quhither it wes the fewaris or nocht. Mellit sayd to hir, gang to Elspet Smyth, and she will sune tell it, and haill hir. And his dochter past to the said Elspet Smytht, and she tuik hir slew and ane gray thred, and pat about hir bodie, and she wes haillit thaireftir; and forder, deponit that Mellit diet thaireftir, and it wes allegit that Smytht hed wiched hir, becaus she tauld to the said Jonet Jak of all that Smytht did to hir.

Jonet Jak deponit that Elspet Smytht causit hir tak a wolne thred and a slewof, and put the threid about hir bodie and the slewoff, and then commandit hir to gang anes about, in the name of the Father, the Sone, and the Halie Gaist.

Eod. die post merid.

[Nig.] It being assignit to Isabel Smytht, conteinit in the formar ordinance, maid at Banquhorie, to heir forder probatioune, compeirit and denyit, as of befoir, that she bewiched Elspet Mellit, dochter in law to James Brayne, quhilk Elspet is deid therthrow, as is allegit, grantis alwayis that she usit a threid and ane slew and ane hoiss, as in the said act. The mother of Elspet Mellit being examinat, confessit that she past to the said Isabellis houss, quha wes unwilling to oppin the houss to hir, bot at the last, be hir ernest solicitatione and offerrs of geir, she cam and desyrit the lass to ga ben to the chalmer witht hir quha usit sic charmes, as she thocht guid, quhilk the lass culd nocht report becaus she continewit in hir seiknes without relieff; and, forder, the said lass moder confessit that the said Isabel Smytht charmit the said umquhill Elspet Mellit abefoir quhen sche was young, quhilk Isobel Smytht denyit; and the lass affirmit the contrar, ewin to hir last gasp, that she had done hir wrang.

28th April, 1608.

The quhilk day, anent citatione rasit and execute against the personis under wreitten, videlicet, Dauid Gray, in the Lyn, Alexander Abirdene, in Brotherfield, Alexander Andersone, at the Walk Mylne of Drum,

Alexander Craig in Quhobbis, Jonet Gordon, wyf of Dauid Bell, quha being callit, compeirit the said Dauid Graye, Alexander Abirdene, and confessit *simpliciter* the recept of the Egyptiance within thair houssis, gave thame harbrie and intertencament of meat and drink for thair monee; and the presbyterie ordenit the said Dauid Gray and Alexander Abirdene to pay ilk ane of thame tua markis monee in penaltie, and to mak thair repentance befoir the pulpet on their kneis, and that on Sondaye cum aucht dayes, onder the panes of the censuris of the kirk. And as for Alexander Andersone, he confessit lykwayes thair recept, and allegit he did nocht without a warrand and commandement of the Larde and Ladie of Drum, quhilk the presbyterie ordenit him to produce in wreitt befoir thame the nixt day of the exercise: with certificatioune, and he succumbit, that they wald decerne in the penaltie and repentance as the said Dauid Gray and Alexander Abirdene.

Mr. James Rait exercisit upoune the contrauertit heid anent the restauration of mankynd be Chryst, conteining four questiones betuix the true kirk and Papistis, viz.: of predestinatione; 2nd, of vocatione; 3d, of our iustificatione; 4, of our sanctificatione, that is, of guidis warkis that follow our iustificatione, as necessarie fruitis thairof; of the quhilkis questiones he handlit the first, to wit, of predestinatione, and causes quhy.

24th September, 1609.

[Kirk of Durris.] Mr. Robert Mercore teached; and, efter prayer made be the bischope, the presbyterie enterit in handling of the materis concerning the visitatioun of the said kirk.

Elderis. Thomas Fraser of Durris, Robert Frasser his brother, Thomas Frasser in Petcoutenis, James Frasser, Alexander Robertson, Adam Ramsay, Johne Scrogy, Alexander Myln in Caladrum, Alexander Myln in Maines of Durris, Alexander Doiglas in Lochtoun, Alexander Nauchtie, Archebald Dunbar, Thomas Hoig, Gilbert Collie, Thomas Watson.

Mr. Alexander Youngsone, minister, remowed and censurit, weill commendit bayth of the saidis elderis and parochineris, praising God for him.

The quhilkis ministeris and elderis ordenit to put thair actis to executione aganis contravenaris of the same, and among [the] rest aganis sleparis in the kirk in tyme of diuine seruice.

No dilatioun fund of any within this paroche that hes cassin thame out of seruice.

That inquisitioun be maid anent violatouris of the Sabbath in speciall in hervest, and punished.

It is statute, that sic as peyis nocht thair teind siluer betuixt and Alhallowmes nixt, sall be callit for the violence of thair teyndis.

Anent the slander persewit be Henrie Mathewsoun and his wyf, callit Jonet Mathewsoun, aganis [ ] Drum and [ ] Craig, in Lelsilheid, befoir the sessioun of Auld Abirdene, referrit to the presbyterie, &c. This day being assignit to heir and sie witnesses producit, testifeand that he and sche satisfeit at Monymusk, producit John Gordoun of Conteswallis and Alexander Frasser in Brotherfeild, admittit and suorne as witnesses, quha deponit that Henry Mathewsone committit incest witht Helen Mathewsone, and satisfeit thairfoir at the kirk of Monymusk, bot Jonet Mathewsone maid na repentance nor satisfactioun. They knew nocht mair in that mater.

10th May, 1610.

The quhilk day, the said brethrene of the saidis Presbyteries of Aberdene and Ellone being conuenit, according to the commissione giwen to thame be the last Prouinciall Assemblie of Abirdene to try ane complaint maid aganis Mr. Johne Mercer, minister at Methlik, and Mr. Robert Maitland of Auchincrewe, and the tenendrie of the baronie of Schewes, for trubling and molesting the presbyterie convenit at Methlik for the visitatioune of the said kirk be thair unrewerend behawior and rewiling speeches utterit mutualie be ewerie ane aganis utheris, in the face of the presbyterie, and for the said Mr. Robert and the tenendrie of the baronie of Schewes, his foloweris, thair unrewerend departure frome meitting efter their unreuerend misbehaviour, and, efter tryell, to judge in the said mater; as lykwayes to conclude quhat thai

thocht meitt and expedient for the peace of the kirk of God in that congregatione, and of the presbyterie, quhen thai happinit to repair to the kirk for the visitatione thairof; and the parties aboue wrettein being lauchfullie summondit and callit, compeirit Mr. Jon Mercer, minister at Methlik, Mr. Robert Maitland of Auchincrewe, and Androw Wode, baillie to the Larde of Gicht; and the saidis parties, being accusit for trubling and molesting of the presbyterie at the visitatione of the kirk of Methlik, be unreuerend, prophane, and reviling speeches, sic as yee will be hangit, and the said Mr. Robert for his departure frome that meitting, and drawing the tenentis forsaidis efter him, be reason of the quhilkis unreuerend speeches and departure, the presbyterie wer compellit to dissolve *re infecta*, the pairtis forsaidis confessit thair said misbehaviour, and, thairfoir, wer ordenit to satisfie for the same at the kirk of Methlik, be confessing of thair fault in presence of the parochineris. Farther, the saidis tua presbyteries, understanding cleirlie that ther hes bene, thir diuerse yeiris bygane, viz., sen the tyme that the said barony of Schewes wes takin frome thair awin paroche kirk of Tarvess, and annexit to Methlik, contentione, truble, and onquietnes at the said kirk to the said pastor and presbyterie, and impeding of discipline, and a trubling of the presbyterie quhen thai conuenit thair for the visitatione of the kirk; and finding all the cheif ewillis to proceid therfra, from the said Mr. Robert Maitland and the remanent tenentis of Schewes thair oppositione to the minister, to ordour, and to the presbyterie, raisit pairtlie be thair awin insolencie, and pairtlie be ane cauldnes betuix the tua houssis of Haddo, the auld parochinaris of Methlik, and of Geicht, to quhome the baronie of Schewes apperteines, and that the annexationie wes suspendit be the Kingis maiesties commissioner, umquhill Sir Patrik Murraye, and the commissionaris of the Generall Assemblie, Mr. James Nicolson, &c., all his maiesties and kirkis commissionaris, till ane of the saidis occasionis, viz., the cauldnes betuix the saidis houssis suld be remowit, quhilk, as yit, remaines: Heirfoir, for remowing of thir ewillis, and procuring peace to the parochinaris, pastor, and presbyterie, the saidis presbyteries thocht meitt and expedient that the said Mr. Robert Maitland and the tenentes of the baronie of Schewes suld repair to thair awin paroche kirk of Tarves; and humilie desyrit the next Generall Assemblie to interpone thair authoritie to ordene thame to repair to thair awin paroche kirk of Tarwes.

SELECTIONS

FROM THE

REGISTERS OF THE SYNOD OF ABERDEEN.

SELECTIONS

FROM

THE REGISTERS OF THE SYNOD OF ABERDEEN.

The Provinciall Assemblie of Aberdeen, holden in the New Kirk of Aberdeen the third Tuysday of October, in the year 1651, with continuation of dayes,—Mr. John Paterson, minister at Ellon, being Moderator.

October 21. Session 2d. *Post Meridiem.*

The Assemblie haweing asked the Presbyterie of Alfoord ther diligence anent the plantatione of the kirk of Touch, ansred that they hade been diligent therin, and that that place of Touch is filled with Mr. David Swann, late minister at Tillinessell; the Assemblie ordaynes the said presbyterie to hawe a care of the plantatione of Tillinessell, wherin the said Mr. David is transplanted.

Anent haunterris and converseris with excommunicated personis, the Assemblie referris this materr to the visitoris of the bookes to make report theranent; lykeas the Assemblie ordaynes the severall brethren of the province to bee carefull, as befor, to hawe a watchfull ey over such as doe converse with excommunicated persones, and to bee diligent in processing them, according to the actes off Assemblie.

The Assemblie, finding that the kirk of Deskfoord is yeit vacant, ordaynes the Presbyterie of Fordyce actively to goe about the plantatione of the same; and that iff, betuixt and the secound of Februarie nixt, the parishionerris of Deskfoord shall not find out a man for that charge, then

and in that case the Assemblie ordaynes thie Presbyterie of Fordyce to fill that place with a qualified man; as also ordaynes Mr. Androw Cant to wreitt a letter to the Erle of Findlater for that effect.

Session 3d. *Ante Meridiem.* October 22.

Efter prayer, the Assemblie haweing heard the report of the brethren sett apart to cognosce and give ther judgment anent the insolencies and disorderres of proffane souldioris and utherris, and the band pressed by the Marqueiss of Huntley, found it verie necessarie that commissionerris should bee send to him, viz., Mr. Jhon Paterson, present moderator, Mr. William Douglas, professor, Mr. Robert Keith; lykeas thee Assemblie appoyntes a letter to be wreittin by Mr. David Lyndesay, and send to my Lord Balcarras, for repressing the insolencies and gross deboardingis of souldioris, certificing them, that, unless the crying sinnes and vile deboardingis amongst them wer not punished and restrayned, thie Assemblie could not longer forbear, bot would proceed to church censure agaynst them.

Concerning the professoris of divinity ther dictata, the Assemblie thinkes it convenient that a quaere bee putt upp to the next Generall Assemblie, whither or not the professoris of divinity shal bee obleidged to give in ther dictata to the severall Provinciall Assemblies wherin ther charge lyes, to bie visitted by them.

The brethren sett apart to conferr anent Mr. James Chalmer his process befor the committie appoynted by the preceding Provinciall Assemblie, haweing made ther report, and the Assemblie taking the said mater to ther seriouse consideration, found that they could not medle with the forsaid processe, in respect off thie Generall Assemblie at Dundy haide determined therin, and reponed the said Mr. James to the exercis of his ministerie at Upper Machar, who hade been formerlie snspended by the said committie; whereupon Mr. Androw Cant, in his awin name, and in the names of dyverss other subscryveris, gave in befor the Assemblie a protestatione, and desyred the same to be redd publickly befor the Assemblie. Quhilk being redd publickly befor the Assemblie, the moderator protested that the reading of the forsaid protestatione should nowayis be prejudiciall to the late Generall Assemblie at Dundie and con-

stitutiones thairof. The tenor of the said protestatione given in bie Mr. Androw Cant is after followes:—At Aberdeen, the [ ] day of October, ane thousand sex hundreth fiftie one years, wee, the ministeres of the gospell and ruling elderis under subscryving, haweing seriously reflected upon the present difference of this kirk, and taking in consideratione our duety as memberris of the synod in reference therto, wee considere orselffis bound to testifie and declar our adherence to the protestatione given in agaynst the pretended Generall Assemblie at St. Androwes and Dundy, the tuentie day of July last bypast, because of the reasones conteyned in thee protestatione agaynst the constitutiones and proceedings of the said pretended assemblie, in which wee are thie more strengthenned and confirmed, because of the actes and resolutiones theroff, and warning issued therby, quich ar such as do not make for edificatione, butt for destructione, not only because of unjust sentences and censures agaynst able and godly ministeris, and upon no other accompt then the protesting agaynst the enormouse constitutiones of the forsaid meetting, bot also because of ther ratifieing and approving that lamentable course of defection caried on by the commission of the last General Assemblie, which has provoked the Lord to increase our plagues exceedingly, and to wreath thee yoke of our transgressiones about our neckes: And because of unjust aspersiones cast upon former warrantable actinges, and honest and graciouse men who haid hand therein: And because of the laying a foundatione both for keeping out of the ministerie such as doe dissent from the publick resolutiones, in order to a conjunction with the malignant partie, as also for censuring and putting out all such as doe oppose that present course of defectione: And being upon thesse grounds convinced in our consciences of the nullitie of the said assemblie, and of the unwarrantableness and unlawfulness of the proceedings therof, we doe humblie beseech and obtest you, in the name of the Lord Jesus, not only to forbear to doe any thing which may import your approbatione and acknowledgment of the constitutione or authoritie and actis theroff, butt also to give testimony agaynst the samen, and to take course within your bounds how the euil therof may be remooved, and the snares therof prevented. And if, notwithstanding of thesse reasones and desyres, the synod shall goe on to doe any thinge that may import ther acknowledgment of the said assemblie, or for strengthenning and executing of any of the actis theroff, then we doe, in our owne names, and in the names of all the ministres

and elderris and professoris within this province, who doe or shall adhere to us, protest that we may not onely bie frie of all the sinne and guilt theroff, but also that all thesse proceedinges may be voyd and null; and that nether they, nor any thing followinge therwpon in synod, committie, presbyterie, or any judicatorie whatsoever, may hawe any strength to bind or obleiss us to thee obedience thereoff, or censhure in case of refusall: bot that wee, and all such as adhere to us, may hawe as much freedome in our consciences, and the exerceisses of all thie duetyes of our callinges, as if the synod hade not, or any other judicatorie, so proceeded. And we protest that thesse presents may bee insert in the registerris of the Provinciall Assemblie of Aberden, *ad futuram rei memoriam*, and that we may hawe extractas theroff under thie clerks hand. *Sic subscribitur*, Mr. Andrew Cant, Mr. Jhon Menzies, Mr. David Swan, Mr. William Scott, Mr. George Tailifer, Mr. Jhon Young, Mr. Jhon Forbes, Mr. Robert Keith, Mr. Alexander Cant, William Forbes of Lesly, elder, Mr. Jhone Jonesone, Mr Robert Cheyne, Mr. Jhon Seatone, Mr. Jhon Midletoune, Mr. William Glass, Mr. George Watsone, Mr. Alexander Gareth, Mr. Walter Ritchie, Mr. William Ramesay, Mr. Alexander Irvin, Mr. Nathaniel Martine, Mr. Jhone Mercer, Mr. Jhone Lundy, ruling elder, Mr. Duncane Forbes, Mr. Alexander Skeyne, ruling elder, Mr. Alexander Mitchell.

Anent the visitatione of the kirkis of Auchindore and Kildrummy, the Assemblie, haweing found, after enquirie, that the Presbyterie of Alford, within whose bounds the saids kirks lyes, hawe diligently and carefullie gone about the visitatione of the saids kirks, omologates and renewes thie act ordaining the saids kirks to be disjoyned, and appoyntes thie Presbyterie of Alfoord to be diligent in provyding them severallie.

Session 5th.—*Ante Meridiem.*—October, 23.

The Assemblie, haweing heard the brethren sett apart to give ther thoughtes and judgment anent the forsaid protestatione given in to the Assemblie bie Mr. Andrew Cant, after mature deliberatione, did give ther judgment therupon, wheroff the tenor followes: Thie Assemblie, taking to consideratione thie aboue wreitten protestatione, found themselffes obleidged in conscience and duety to give ther judgment and sense theroff; and, therfor, they disallow and condemme the forsaid

protestatione in all the heads, grounds, and articles theroff, as tending to divisione, and prejudiciall to the just liberties and authority of this kirk, and unwarrantablie reflecting upon the discretione and authoritie of the late Generall Assemblie convened at St. Andrewes, and translated to Dundy in the month of July last, 1651 yeeris, and upon the proceidinges theroff, and of the Commission of the Generall Assemblie 1650 yeris; and as casting uncharitable aspersiones upon many able, honest, and pious ministres and ruling elderris of this church, who have been verie faithfull and eminent in carieing on the work of reformatione, as if of late they hade fallen from ther former zeall and principles to the careing on of a course of defectione and apostasie. Whereas (in or judgment), it is undenyable, to all who looks on thie matter impartiallie, that they hawe done that quhairunto they werr obleidged by the law of God, of nature, of nationes, by covenantes, oathes, protestationes, and declarationes, in reference to the just and necessarie defense of relligion, according to the covenant, of ane covenanted king and kingdome, in such an extremity and case of unavoidable necessity; and therfor the Assemblie disclaymes all the sinne, and guiltines, and sad effectes which the said protestatioun hes or may produce; and declares thie giveres in, and all that hes adherred, or shall adherre thertoo, censurable.

The Assemblie judged it convenient that, in respect of the differences of judgment amongst the brethren anent the Generall Assemblie at Dundy, the roll should be called; and that everie brother within this Provinciall Assemblie should be putt to it to declar himself positivly thairanent.

Eodem die. Session 6th. *Post Meridiem.*

Mr. William Cheyne, minister at Dyce, his judgment being desired by the moderator anent the lawfulness or onlawfulness of the Generall Assemblie at St. Andrewes and Dundie, *respectiue*, declared himselff unsatisfied in regard off the prelimitatione of thie meetting at Dundy (as he calles it), and in regard of the generalitie of the associatione with malignantes in putting them in places of trust; but whether or no to adhere to a protestatione whollie declyning the said Generall Assemblie, he professes that he is not cler therin.

October 24. Session 7th. *Ante Meridiem.*

This day, anent thrie cuppes for the Holy Communion, mortified by

umqll Patrick Leith of Harthill to the kirkes off Oyn and Rayne, tuo of them for the kirk of Oyn, and the third for the kirk off Rayne, all which werr plunderred in the tyme of the troubles, the Presbyterie of Garioch haweing represented to the Assemblie the unrulie cariage of Jhon Leith, now of Harthill, the father of the said Patrick, incessantlie vexing both the ministerris of the saids kirks, as also the wholl Presbyterie of Garioch, because the saids cuppes ar not given back to him, that he may make use of them at his pleassr, humblie desyred the advyse of thee Assemblie theranent. The Assemblie, taking this mater to ther consideratione, advyses the said presbyterie to adverteise the Presbyteries of Fyff, out of quich presbyteries it is thought the saids cuppes werr taken, that they would labor to take notice to whom they did appertaine, that after tryall they might be restored to the just owneris, and in the mean tyme advyses the said Presbyterie of Garioch to keep the saids cuppes in a secreitt and prudent way, till notice might be hade of the true owneris of them.

Anent Patrick Gordoun, alias Shawgand, his supplication to the Assemblie to be relaxed from his excommunicatione, the said supplicatione beeing redd. as also a testimony from the Presbyterie of Garioch, bearing that hie is in a capacitie to bie receaved and relaxed from excommunicatione, thie Assemblie appoyntes Mr. Jhon Menzeis, Mr. Nathaniell Martyne, Mr. Andrew Strachan, to goe apart and conferr with him anent his sense off his former guiltiness and gross debordinges; and they haweing returned that thie hade found in him some signes of repentance, the Assemblie referres him to the Presbyterie of Aberden to bie relaxed.

Thee excommunicat persones and fugitives within the province to bie intimat out of all pulpittes, that none receipt nor keep company with them, under the pain of censur; and the names of the excommunicates to bie read publickly out of all pulpitts, befor thie Communion, in everie kirk of the province.

Captane Jhon Gordone excommunicat for manslaughter; Alexander Dowy and Robert Williamsone, cardes, excommunicatt for murther; and Marioric Mylne for incest; Andrew Webster and Agnes Leask for thriefold adultery; Jhone Bellaver for cohabitatione in adulterie; Agnes Midltone for cohabitatione in adulterie; Major Alexander Forbes for not con-

forming in subscribing the solemne league and covenant; Jean Duncane, sextilapse in fornicatione; Alexander Fraser and Margaret Andersone excommunicat long agoe for adulterie.

Issobell Glenny, adulteress, fugitive from Slaines; Margaret Fergusone in Old Aberdeen, fugitive under the scandall of adulterie; Elspet Umphra, fugitive from Forge; George Mackie from Daviot, Barbara Bothwell, suspect of fornicatione; Issobell Wyll, fornicatrix, fugitive from the discipline of Daviott.

The Synodall Assemblie of Aberden, holden in the New Kirk of Aberden, on thee third Tuysday of Apryll, 1652 yeeris. Mr. David Lyndesay, minister at Behelvie, Moderator.

Thee whilk day, after sermone hade by Mr. Jhone Patersone, last moderator, text, Act i. v. 6, 7, 8, and incalling on God's name, the ministerris and ruling elderris of this Assemblie, ar cited according to the order whose names doe follow, viz.:—

The Presbytery of Aberden.

Mr. Andrew Cant, minister at Aberden.
Mr. Jhon Row, minister ther.
Mr Jhon Menzeis, Professor of Divinity in the New Colledge of Aberden.
Ruling elder, Mr. Alexander Skeyne.
Mr. William Douglas, Professor of Divinitie in thie Universitie of Old Aberden.
Mr. William Strachan at Machar.
Mr. Jhon Seaton ther.
Doctor Mure, ruling elder.
Mr. James Chalmer at Upper Machar.
Mr. Alexander Menzeis, ruling elder.
Mr. Andrew Abercromby at Fintray.
Mr. William Cheyn at Dyce.
Mr. Andro Skeyn, ruling elder.
Mr. Jhon Mercer at Kinneller.
Mr. William Chalmer at Skeyne.
Thomas Davidsone, ruling elder.
Mr. Alexander Gareoch at Peterculter.
Laird of Culter, ruling elder.
Mr. Alexander Leask at Marieculter.
Jhon Grig, ruling elder.

Mr. William Robertsone at Banchorie Deviny.
Arthur Milne, ruling elder.
Mr. Patrick Barclay at Nigg.
Mr. Andrew Strachan at Kintor.
Robert Tailyer, ruling elder.

Kincardin Presbytery.

Mr. Jhon Forbes at Kincardin.
Mr. William Seaton at Lumphanan.
Mr. Alexander Cant at Banchorie.
Androw Burnett, ruling elder.
Mr. Robert Forbes at Eight.
Mr. Jhon Strachan at Midmarr.
Mr. Jhon Young at Birse.
Mr. Thomas Ross at Aboyne.
Mr. Alexander Ross at Kinnerny.
Mr. Andrew Gray at Coull.
Mr. Ludovick Dunlop at Tarland.
Mr. Alexander Gordoun at Coltstone.
Mr. Alexander Ferreis at Kindroght and Crathie.
Mr. George Burnett at Strachan.
William Auclynleck, ruling elder.
Mr. Jhon Ferreis at Glenmuick, Glengardin, and Tullich.

Presbytery of Awfuird.

Mr. Adam Barclay, elder at Awfuird.
Jhone Forbes of Aslowne, ruling elder.
Mr. George Watsone at Lochell.
Mr. William Wedderburne at Innernoughtie.
Mr. Adam Barclay, younger, at Kinbettock.
Mr. William Davidsone at Auchindor.
Mr. George Gardyn at Clatt.
Mr. David Swan at Touch.
Mr. Alexander Farchar, ruling elder.
Mr. Walter Ritchie at Forbes.
Mr. Robert Cheyn at Kinnethmont.
Mr. Thomas Forbes at Nigg.
Mr. William Glass at Cusney.
Mr. Andrew Ker at Cabrach.
Mr. James Ross at Innercharach.

Presbytery of Gareoch.

Mr. George Taillifer at Daviot.
Mr. Jhone Midltoun at Rayne.
Mr. Gilbert Keyth at Bourty.
Mr. George Melvill ther.
Gilbert Keyth, ruling elder.
Mr. Alex. Strachan at Logiedurno.
Mr. Jhone Gellie, elder at Monymusk.
Robert Forbes of Barns, ruling elder.
Mr. George Leith at Bethelny.
Mr. William Burnett at Oyne.

Mr. Arthur Ore at Culsamond.
Mr. Alexander Ross at Inch.
Robert Farcharsone off Wardess, ruling elder.
Mr. Williame Forbes at Inverurie.
Mr. Jhone Gellie, younger at Kinkell.
Mr. David Leith at Kemnay.
Mr. George Myln at Premnay.
Alexander Feskin, ruling elder.
Mr. Wm. Keyth at Montkeggie.

Presbyterie of Fordyce.

Mr. Alexander Seaton at Bamff.
Jhone Urquhart, provost, ruling elder.
Mr. Jhone Watsone at Ordiquhil.
Mr. Dauid Abercromby at Fordyce.
Mr. William Chalmer at Innerboyny.
James Skinner, ruling elder.
Mr. Alexander Seatone at Mortlich.
Mr. William Scrogie at Rafan.

Presbyterie of Turriff.

Mr. Arthur Mitchell at Turreff.
Jhone Murray, ruling elder.
Mr. William Jaffray, elder, at Kingedward.
Mr. William Jaffray, younger, ther.
Mr. Jhon Jaffray at Mountquitter.
Mr. George Sharp at Fyvie.
Mr. Andrew Massie at Auchterless.
Mr. Alexander Scrogie at Drumblaitt.
Mr. Alexander Gardin at Forge.
Mr. Robert Brown at Forglin.
Mr. Robert Blair at Avah.
Mr. William Stevinsone at Gemrie.

Presbytery of Dear.

Mr. Robert Keith at Dear.
Mr. Alexander Douglas at Achredie.
Mr. William Scott at Strechin.
Mr. William Ramsay at Aberdour.
Mr. Jhon Jamesone at Tyrie.
Mr. Duncan Forbes at Petsligo.
Mr. William Davidsone at Rathen.
Mr. Willeam Hay at Crimond.
Mr. Thomas Riress at Lonmay.
Mr. Willeam Riress ther.
Mr. Jhon Robertson at Longley.
Mr. Nathaniel Martin at Peterhead.
Mr. Alexander Irving at Longsyde.

PRESBYTERIE OFF ELLON.

Mr. Dauid Lindesay at Belhelvie.
Robert Annand, ruling elder.
Mr. Jhon Seaton at Foveran.
Mr. William Seaton at Logi-buchan.
Mr. Jhon Patersone at Ellone.
Mr. Gilbert Andersoune at Croudan.
Mr. William Mushat at Slaines.
Jhon Forbes, ruling elder
Mr. Robert Ogilvie at Methlick.
Jhone Maitland, ruling elder.

Session 4th. Apryll 21, 1652. *Post Meridiem.*

Thie said day, after incalling of God's name this day, anent the plantatione of thie now vacant kirk of Tillinessell, so seriouslie recommended to the Presbyterie of Awfuird to goe effectuallie about the plantatione theroff, bee the last Provinciall Synod; the Presbyterie of Awfuird declared that they had not been deficient in ther diligence theranent, and for ane accompt of ther diligence theranent, declared that, at ther last presbyteriall meetting at thie kirk of Awfuird, the fyfteint day of Apryll instant, compeared John Leith of Whythaugh, as commissioner from thie parishionerris of Tillinessell, and declared that he hade commissione and warrand from the parishionerris of the said parish, that in respect they wer bot strangerris, and not acquainted for the present with all the expectants of divinitie within this province, they could not convenientlie fall upon the nominatione of a man for the ministerie of the church and parish, yett for a demonstratione of ther not onely willingness bot forwardnes for the plantatione of the said kirk, they hade fallen, with commone consent, upon a desyr to hear ane expectant of divinity, Mr. Alexander Youngsone by name, and earnestlie desyred that the Presbyterie of Awfuird would give ther best assistance and concurrence for procureing ane call to the said Mr. Alexander, to preach befor them, that they might hear him; with the whieh petition the Presbyterie beeing ryply advised, did unanimouslie consent and promeised to give ther assistance and best concurrence therunto: And for the mor expedit promooving of the same, the presbyterie did, according to the act of the provinciall synod, enquyre of all the presbyteries within the province, iff they hade any thing to object or except agaynst the motione and propositione mooved by the parishionerris of Tillinessell and Presbyterie of Awfuird: And the provinciall assemblie finding that no presbyterie within the province hade any exceptione or alleadgeance agaynst the said Mr. Alex-

ander, in his cariage or personall conversatione; and that diverss brethren within the province, and particularlie Mr. William Douglas, Professor of Divinitie within the Universitie of Old Aberdeen, declared, provinciallie, that the said Mr. Alexander was both a good and a learned man, wherupon the whole assemblie taking the premisses to thir consideratione, and finding that none within the assemblie did except agaynst the said petition, did allow and concentiat the said Mr. Alexander to repair to the kirk of Tillinessell, and to preach befor them according to the call he hes receaved from the parishionerris and presbyterie forsaids.

Anent the plantatione of the now vacant kirk of Keirne, the Provinciall Assemblie, upon grave and seriouse reasones mooving them therunto, doeth ordayne that the tryalles of Mr. William Whytt, expectant of divinitie, alreadie enterred to his tryalles befor the Presbyterie of Awfuird, for the said kirk, bie suspended to the nixt Provinciall Synod in Junii nixt, till he give his positive judgment anent the Generall Assemblie at St. Andrewes and Dundy, *respectiue*, in July, 1651; and, in the mean time, the Assemblie licentiates the said Mr. William to exercese himselff in preaching the gospell in the said parish, for the comfort and edification of the people ther, till the forsaid synod, as said is.

Session 7th. Apryll 23. *Ante Meridiem.*

The said day, after incalling on Gods name, a paper was presented by Mr. Jhon Row, and redd, bearing overtures as followes: That each presbyterie, and each minister in everie presbyterie, bie carefull to revise actes of Generall Assemblies, and other thingis ordered by our reformerris, in relatione unto, first, ministerris of the gospell, what qualificationes and cariage is requyred in them; secondly, elderis and deacones; thirdly, in public penitentes admitting unto repentance publick, and ther absolution; fourthly, in relation to the Sacraments of Baptisme and the Lords Supper; fiftlie, what qualificationes ar requyred in a constituent member of a visible kirk of Jesus Christ.

Session 3d. Junij 30, 1652. *Ante Meridiem.*

The said day, after incalling on Gods name, it was recommended to all the ministerres in thie province, to bee exact in absolving publick penitentes, conforme to the Word of God and actes off Generall Assemblies.

Session 4th. Junij 30, 1652. *Post Meridiem.*

The said day, after incalling on thie name of God, anent a former petition given in by Doctor William Guild, principall of thie Old Towne Colledge of Aberden, concerning thie restoring of him to the exercess of his ministerie, from thie quhilk he was discharged by thie Presbyterie off Aberden in thie moneth of Junii, 1650 yeris, humblie desyring thie Assemblie to take to ther consideratione thie process and sentence ledd and pronounced agaynst him bie the said Presbyterie of Aberden. First, the questione bieing stated whither the Assemblie would take upon them to judge in the said mater, after voyceing the Assemblie did find themselffes to bie judges, and resolved to proceed in the determinatione of thie said business; and therafter the said Doctor William Guild and Presbyterie of Aberden bieing heard at length, the Assemblie did find the sentence pronounced by thie said Presbyterie of Aberden agaynst thie said Doctor William Guild to hawe been illegal, and consequently null and void from the beginning, upon the reasones efter following, viz.:—first, becaus befor ever the said Doctor William Guild was cited befor the presbyterie, accused or heard, or any lybell given to him, they concluded to proceed to a sentence agaynst him, as thie act of the said presbyterie, Junij 12, 1650 yeris, importes; secondly, because at the same presbyteriall meetting thie moderator was ordayned to charge thie said Doctor William Guild to comper befor them at thie nixt meetting, to hear and sie a sentence pronounced agaynst him, hie haweing nevir been hard to answer for himselff why thie said summonds, to hear any sentence should not hawe been given out agaynst him; thirdlie, because in ther presbyteriall meetting, Junij 12, they voyced his depositione from his ministerie befor they took cognitione off the cause; and last of all, because it was found by the judiciall confession off diverss brethren of thie said Presbyterie of Aberden, that they hade never seen, heard, or considderred thie process transmitted to them, ledd by the visitoris of thie Universitie off Aberden in Junij 1650, wherupon ther sentence was founded, wheras thie Presbyterie Book off Aberden hade in it that they hade seriously considered the said process: Therfor, in respect of the wholl premisses, the Assemblie restores thie said Doctor William Guild to thee exercess of his ministerie, and ordaynes publick intimatione of thie same to bie made from the pulpitt of Old Aberden by the minister ther. To the quich act, Mr. Robert Keith and Mr. Nathaniell Martyne entered ther dissent.

This day, anent the posing of everie minister within thie province touching his judgment anent the constitution and goverment of the Kirk of Scotland, they, being severallie called upon by their names, thie wholl Assemblie did unanimouslie approove thie constitution and government of thie Kirk of Scotland by sessiones, presbyteries, provinciall and generall Assemblies, beeing in subordinatione one to another, except those brethren who gave in ther judgment under ther hands, viz., Mr. Jhon Row, Maister Jhon Menzeis, Mr. Jhon Seaton, thie tenor quhairof followes: wee, undersubscrybberris, bieing solemlie posed by thie moderator of thie Provinciall Synod what our judgment is of thie present church government and constitution in Scotland, declar that, for a considerable space off tyme, wee hawe been searching, and yett purpois further to search, into the mynd of God in thesse thingis; but, according to our present measure of light, wee humblie conceave, with reverence to preciouse, holy, and learned men of another judgment, that ther are not to be found convinceing scripturall grounds for our classicall subordination, with power of jurisdiction in poynt of censur. As to thie constitution, wee judge that our sinfull mixtures, and promiscuouse administration of ordinances, without due distinction betuixt the preciouse and thie vile, is not thie least sinne of thie land for which the Lord is contending with us; butt, when it shall bie more distinctly told us what our rule of constitution is, wee shall more distinctly ansuir to this last branch. *Sic subscribitur*, Mr. Jhon Row, Mr. Jhon Menzeis, Mr. Jhon Seton.

As lykwysse, Mr. Robert Keith, Mr. Duncan Forbes, Mr. William Ramesay, Mr. George Tailifer, gave in ther judgment under ther hands; the tenor wheroff followes: unto thie quere propounded anent the brethrens judgment of thie government and present constitution of this kirk, ansuir is humblie returned, that, for any thing wee hawe yett attained, we doe approove off, and resolve by Godis grace to adhere unto, Presbyteriall Government, as it is held out in the covenantes, actes, and constitutiones of thie lawfull Generall Assemblies of this kirk and kingdomes, as agrieable unto, and warranted by, thie Word of God; but can not allow or approove the present exerceis of Government as it is, and hes been, exerceised since thie late defectioun begun and ad-

vanced by a prevalent partie off the commission authorized by thie Generall Assemblie 1650, because, since that tyme, the Assemblies hawe been, and continue to bie, corrupt in ther constitution, and wronged in ther fredome and liberties. Wee doe also esteem thie Kirk of Scotland a true kirk in regard of doctrine, disciplin, worshipp, and government warranted as forsaid, from which wee ought not to separate or withdraw our selffes. But we are no wayis satisfied with the present actual constitution or complexion of congregationes generallie faultie, by reason of thie sinfull mixture of thie preciouse with thie vile in dispenssing off ordinances, especially the sacrament of the Lord's Supper; and wie think wie ought to remoove, by thie censures of the kirk, from such as desyr to fear the Lord, all scandalouse, ignorant, and profane persones, who either hawe not so much as a profession, or who by ther constant practise, after panes taken on them, contradict any profession by lives contrarie thertoo. *Sic subscribitur*, Mr. Robert Keith, Mr. Duncan Forbes, Mr. William Ramsay, Mr. George Tailifer.

Thee assemblie takeing to ther consideration thie forsaid paper given in bie Mr. Jhon Row, Mr. John Menzeis, and Mr. Jhon Seton, did find thie same contrarie to thie Word of God, to the covenantes and the judgment of the Generall Assemblies of this Kirk, and therfor condemned the said paper, and suspended thie censure of thie said brethrene till thie said mater should be advised with the Generall Assemblie immediatlie following; and, in the mean tyme, inhibites thie forsaid brethren, either privately or publickly, to vent any doctrine, or practise any thinge tending towards separatione, or against thie present government of this church, and that under the pain of thie highest censures of the Church of Scotland.

Session 5th. Julii 1, 1652. *Ante Meridiem.*

Thee said day, after incalling on God's holie name, the mater bieing propounded againe to the provinciall assembly anent the slaughter off Thomas Forbes of Watertowne, by Jhone Kennedy of Kermuckes, elder; Jhone Kennedy of Kermuckes, younger, and ther complices, viz.: George Pirie, James Bruce, and Donald Fraser, and the said slaughter bieing made notor to the assemblie, after long consultatione and voyceing in the

business, thie fornamed are ordayned to bie summarly excommunicated thie nixt Lords day, by Mr. Jhone Patersone, minister at Ellon, as he wil bie ansrable to the next Provinciall Assemblie

The Provinciall Assemblie of Aberden, holden in the New Kirk of Aberden, on thie third Tuysday off October, being the nynteinth day theroff, with continuation of dayes, anno 1652, Mr. Adam Barclay, elder, minister at Awfurd, bieing moderator.

Session 1st. *Post Meridiem.* October 19, 1652.

Anent thee reposition of Mr. William Guild to his ministeriall charge, thie assemblie findes that publick intimation had been made theroff from thie pulpitt of Old Aberden, by thie minister ther, anent the which reposition dyverss protesting brethren enterred their disassent, whose names ar as followes: Mr. Robert Leith, Mr. Robert Cheyne, Mr. Arthur Mitchell, Mr. Jhon Mercer, Mr. William Scott, Mr. Duncan Forbes, Mr. George Tailifer, Mr. Nathaniell Martyne, Mr. Walter Rithie, Mr. George Watsone, Mr. William Ryress, Mr. William Ramsay; and that upon the grounds and for the reasones to be given in by them in tyme and place convenient.

Anent the Well of Seggett, the Assemblie recommendes the Presbyterie of Turreff, beeing within ther bounds, to hawe a speciall care to take notice of all superstitious persones frequenting that well, and upon the notorietie theroff to censure them.

Session 2d. Wesdensday, October 20, 1652. *Ante Meridiem.*

Anent a referr from the Presbyterie of Awfuird, regraiting that Mr. Androw Gray, minister at Coull, hade medled with a part of thie ministerie of thie lands of Corse, som tymes belonging to thie lands of Coull, and now annexed to the parish of Lochell, particularlie in baptizing of some children without the minister at Lochell his testimoniall, thee Assemblie ordaynes thie said Mr. Androw Gray, that in any tyme heerafter he presume not to medle with the exerceiss of any part of the ministerie within the compass of any other minister his charge, and particularlie with any part of thee lands of Corse, as he wil bee anserable.

Anent the supplication of the parishionerris of Strathdivren given into the Presbyterie of Awfuird, representing that, at Ennercharach, ther was nether accommodation, nether possible could be hade, for celebration of thee publick ordinances, wanting both manss and gleib, and therfor desyring that thee minister might be licentiated to celebrat the ordinances, and that it may bie lawfull for the people to convein with him for that effect at the kirk of Cabrach, ay and whill convenient accommodation may be obtayned and promooved in some other centricall part of thie said parish; with thie which petition, thie Assemblie, beeing ryply advysed, and beeing satisfied with the reasonableness theroff, doe yield therunto, and licentiates thie said Mr. James Ross and the parishionerris forsaids to repair to the said kirk of Cabrach, for thie ordinarie publick uorshipp, untill the tyme above expressed.

Session 4th. *Ante Meridiem.* Thuirsday, 21st October, 1652.

Anent thee processing of Mr. Jhon Row, Mr. Jhon Menzeis, Mr. Jhon Seaton, minister in Old Aberden, who hawe separated themselffes from thee disciplin and government of this kirk to independencie, the Assemblie find it convenient that befor they enter into any strict course agaynst them, that some brethren bee appoynted to conferr with them, and to informe themselffes what hopes may be intertained of ther returning to the bosome of this Church; and to that effect appoynted Mr. David Lyndesay, Mr. William Douglas, Mr. William Strachan, Mr. Robert Keeth, to conferr with them, and to make ther report to the Assemblie.

Session 5th. *Post Meridiem.*

This day, a literall summonds was given in, duely execute and indorsed, agaynst Mr. Androw Ballanden; and hie, being lawfully called, compeared, and confessed that he had entered into the exerceiss of the ministerie in thie kirk of Drummoack, being a deposed minister, and that hie hade done the same by warrand from thie Englishers, in respect he was upon the independent and congregationall course; yet, being brought to a sense and acknowledgment of his error and oversight, was content, for satisfaction to thie Assemblie, to subscrive with his hand thie acknowledgment and obligation, wheroff the tenour followes: I, Mr Andrew Ballanden, doe acknowledge that I hawe given most just offenss to thie Presbyterie of Aberden, Provinciall Synod theroff, and so to thie wholl

Church of Scotland, by my intruding of myselff, without any just or honest call, either from congregation or presbyterie, or any haweing interest in ane ecclesiastick and legall way, into thie exerceiss of thie ministerie at Drumoack; for thie which I crave God heartily pardon, and that you of the Presbytery and Provinciall of Aberden wil bie pleased to superseed from any sentence agaynst mee; and obleidges myselff to deport myselff from this countrey, and never to returne to act any thing, nor exerceiss any part of thie ministeriall function heer or elswhere, within thie province of Aberden, without a lawfull call from congregation, presbyterie, or provinciall, under the pane of excommunication. bee thess presentes subscrivit with my hand, at Aberden, the twentie one day of October, jai vic fiftie tuo yeris, befor witnessis, Mr. Dauid Lindesay, minister at Bahelvy, Mr. Androw Strachan, minister at Kintor, Mr. Jhon Young, minister at Birss, wreitter of these presents. *Sic subscribitur*, Mr. Androw Ballanden, Mr. David Lyndesay, witness, Mr. Androw Strachan, witness, Mr. Moir Young, wreitter and witness. And thie Assemblie ordaynes thie Presbyterie of Aberden, upon the notoriety of his transgression of any part of the above wreitten band, to pronounce the sentence of excommunication agaynst him.

Session 4. *Post Meridiem.* Apryll 20, 1653.

After prayer, thie moderator haweing asked thie brethren appoynted for visiting thie registerris of thie severall presbyteries, if they or any of them werr readie to give a report, to quich the visitoris of the book of Turreff auned, that in thie said book, they hade found ane act reflecting upon a brother of the said presbyterie, viz., Mr. Arthur Mitchell, minister at Turreff, and bearing upon him great reproaches, contained, as they alleadge, in a paper given in bie thie said Mr. Arthur to the Presbyterie of Turreff, declared by them in ther act to bie full of lyes and calumnyes, for quhich thie visitoris of thie book of Turreff sawe no ground in ther act: Wherupon the assemblie determined that thie mater should be taken to thie consideratione of a committie of thesse persones following, viz., Mr. David Lindesay, Mr. John Patersone, Mr. Nathaniell Martyne, Mr. Alexander Seaton, elder, Mr. Duncan Forbes, Mr. William Scrogie, Mr. Robert Keith, Mr. Andrew Strachan, George Meldrum, Alexander Uinchester, ruling elderris, who shall, God willing, meett at Turreff, upon the eighteint day of May nixt, with continuation of dayes: the quorum is

appoynted to consist of any seven of the said commissionerris, who shall hawe power to try and determine finallie on thee said business, with power to the said quorum, or any two of the said commissionerris, to appoynt new dyettes anent the said business, thie place alwayes beeing the towne of Turreff.

Session 5th. *Ante Meridiem.* Apryll 21, 1653.

The visitoris of the Presbyterie Book of Dear haweing made ther report theranent, and thie mater bieing considered, thie book is approven, except in reference to ane act therin contained, of thie daitt December thie last, 1652, relaiting to tuo referres from thie Provinciall Assemblie in October, 1652, of which act the tenor followes:—Att Crimond, 1653. December the tent. Anent thie other tuo referres, wherin it is said to be recommended to thie brethren of severall presbyteries to hawe a care that no presbyterie or session admitt any to be memberris in presbyteries or sessiones, butt such as ar conforme in judgment and practise to the Kirk of Scotland and Generall Assemblies theroff, and conforme to the act of the late Generall Assemblie; secondlie, it is said also to bie recommended to thie severall presbyteries, that thie actes of the late Generall Assemblie at Edinburgh bie made use off and put in execution, as they uil bie anserable, according to the tenor of thie saids actes respectiuely. The presbyterie, after mature deliberation, finds thie saidis tuo recommendationes not onely unjust and sinfull in themselffes, as upon thie mater bearing a direct exclusion of all such from church judicatories as hade not gone along with the late course of defection, and leaning upon no better ground then the pretended authoritie of thie tuo late Assemblies at St. Andrewes 1651 and Edinburgh 1652, bot also that never any such thing was concluded in the provinciall assemblie, as the most part of the brethren of the presbyterie who hade been present at all the sessiones of thie assemblie doe perfectly remember, nether could any declare that they heard any such thing publicklie inacted, though they all werr severallie posed. Therfor, thie presbyterie findes themselffes obleidged in conscience (for preventing, so farr as in them lyes, the corruption of kirk judicatories,) to putt the mater to ane exact tryall at the next provinciall, that it may bee knowne by what usurpatione the saids tuo recommendationes hawe been insert among the referres extract by Mr. Alexander Seaton, minister at Banff, and Mr. Alexander Seatoun, younger, visitores of the

book. Thie Assemblie, after long debate anent the said act, and the question beeing stated whether or no this Assemblie would owne thess tuo challenged referres as actes judiciallie passed in ther Assemblie holden in October last, 1652, thie affirmative was concluded by plurality of voyces; and sicklyke, thie Assemblie taking to ther consideration thie forsaid act of thie Presbyterie of Dear, and finding the same to contayne verie reproachfull and sinfull reflexiones upon thie last tuo General Assemblies at St. Andrewes, Dundy, and Edinburgh, they did condemne thie said act in all thie heads, clauses, and articles theroff, wherunto the brethren underwreitten enterred ther protestation.

Thie Assemblie taking to ther consideration that Mr. Jhon Forbes, minister at Kincardine, hes been found absent from this and diverss preceiding Assemblies, and that it was declared befor thie Assemblie that the said Mr. Jhon was not satisfied with the present government of this Kirk, therfor the apostle appoyntes the Presbyterie of Kincardyne, with all convenient diligence, to visit the said kirk of Kincardyne, and to take exact tryall anent the doctrin, lyff, and conversation of the said Mr. Jhon Forbes, and to take notice how hie keepes the presbyteriall meetinges, as also to informe themselffes in everie thing concerning him in his ministeriall charge ther.

Thie book of Kincardine is approven.

Session 2d. *Post Meridiem.* October 18, 1653.

Anent the Laird of Craig beeing challenged for poperie, it is reported by the Presbyterie of Awfuird, that hie hade said that hie hade never been of our church, nether mynded to bie of our church; and it being found that thie forsaid presbyterie haid begunn to process him, thie Assemblie recommendeth to them to insist and to proceed agaynst him, and report of ther diligence to bie made at the next Provinciall Assemblie.

Session 3d. October 19, 1653. *Ante Meridiem.*

Report of thie book of the Presbyterie of Garioch:—Thee Assemblie, finding from the report of the visitoris of the Presbyterie Book of Garioch, that Mr. Androw Logie, sometyme minister at Rayne, hade been summonded by the said presbyterie to appear befor this Provinciall Assemblie,

and to anser for his medling with the ministeriall charge at Rayne, by baptizing children and marieing persones within the parish of Rayne, the said Mr. Androw beeing called, and compearing, was sharplie rebuked and inhibited in tyme coming to medle with the ministeriall charge or anie part theroff, whilk if he did, then and in that case thie Presbyterie of Garioch is ordayned to proceed agaynst him with thee highest censures of the Church; lykeas thie Assemblie ordaynes thie said Presbyterie of Garioch to concurr with the heretoris, elderes, and otheres of the parish of Rayne, in the plantation of that kirk upon the call already given to Mr. George Leith, minister at Bethelny, or, failzeeing of him, to any other honest, able, and qualified man to whom the parishionerries forsaid shall give a call to the ministeriall charge ther: and in case any of the said parish shall give a call too, or supplicate for thee said Mr. Androw Logie to the ministeriall charge at Rayne, thee Assemblie ordaynes thie Presbyterie of Garioch to oppose and not to accept of any call or supplication for thee said Mr. Androw to the charge of the ministerie at Rayne. Lykewayes, the Assemblie recommends to the Presbyterie of Garioch to take notice of those who did present the children to bie baptized by him, and off these who werr maried by him, and to convein and censure them as the said presbyterie shall judge expedient, and inhibite them from doeing so in tyme comeing.

Session 6th. Apryll 21, 1654. *Ante Meridiem.*

This day, anent a supplication presented to thie Assemblie by Elspet Forbes, in Peterhead, spous to George Garden, sometyme in Hopshill, shewing that Mr. Nathaniell Martine, minister at Peterhead, his proceeding with the censure of thie Church agaynst her for cohabiting with Androu Currie, her now maried husband, upon pretenss that her first husband, George Garden, is yett liveing, the contrarie wheroff shie was crediblie informed of by thie report of diverss who hawe trauailled in England, whilk in hir esteem is thie more probable, threttein yeeris beeing expyred since his goeing abroad thither, enduring thie which tyme shie hade never heard from him either by word or wreitt, and therfor does supplicat thie Assemblie to wontchase a convenient time, either to evidence thee deceas of hir former husband, or then to obtaine a decreett of divorcement befor the judge competent. Which mater the Assemblie taking to ther consideration, doe assigne her thie first of November nixt.

betuixt and the which tyme she must be diligent to evidence one of the premisses; and becaus the death of the first husband is not yett cleirly evidenced, thie Assemblie ordaynes hir to separate from the said Androw Currie during the tyme above expressed; and ordaynes Mr. Nathaniell Martine to surcease from any process agaynst her untill thie said first day of November nixt, except it be evidentlie found that shie has contravened thie appoyntment of thie Assemblie by cohabitation with the said Androw Currie within the said tyme.

The said day, anent ane appellation made by thee Erle of Erroll, and remanent heretoris, in the name of thie elderes and wholl congregation of the parish of Crimond, presented by William Watsone of Haddo, and Mr. Alexander Hay, commissionated from the said congregation, which appellation is from the Presbyterie of Dear in reference to thie entering of Mr. William Hay, expectant, on his tryalls for the ministerie of the forsaid parish. Anent which appellation, the Presbyterie of Dear declared that they could not admitt the said Mr. William Hay to enter upon his tryalls in reference to the ministerie, becaus hie hade not passed his tryalls as ane exspectant, nether hade the people of that congregation heard him preach: wherupon thie Assemblie did requyre from the said Mr. William Hay, personallie present, if hie had brought testificates from reformed communities and churches of France, wher he hade resided these eight yeiris bygone; who did immediatly produce two famous testimonialls, one from Placeus, rector of the Universitie of Somerr, another from thie minister and session of Russificald. Which testimonialls beeing redd, Mr. Robert Keith did challenge them as not faithfull; in which challenge he did instantly succumbe, thie saids testificates being declared honest and true. In reference to which groundless challenge, and upon ane verie earnest and pressing letter from the Erle of Erroll, desyring thie Assemblie that they would fall upon such an equall and fair way for enterring the said Mr. William Hay to his tryalls, and planting that kirk, as may best prevein any contention which was licklie to aryse betuixt the presbyterie and parishionerres, in respect of diverse aprehended prejudices in that mater: Therfor, they did ordayne thie Presbyterie of Dear to enter upon the tryalls of the said Mr. William Hay as ane exspectant; and, for eschewing of priejudices above wreitten, adjoynes Mr. Jhone Patersone, Mr. Ritchard Andersone, Mr. Wil-

liam Seaton at Logibuchan, Mr. Alexander Scrogie, Mr. William Jaffray, younger, Mr. Alexander Garden, to the said presbyterie, to concurr with them as assessoris in thie tryalls of the said Mr, William, who ar to hawe decisive voyces in the tryalls of the said Mr. William; and ordaynes the Presbyterie of Dear to give tymous advertisment to thie forsaids assessores of ther severall meetings for that effect, and if the said presbyterie shall neglect to give tymous advertisement to the forsaid assessoris, ordaynes Mr. Alexander Forbes to adverteiss them tymmouslie. And sielyke ordaynes thee said Presbyterie of Dear not to proceid or intend thie planting of the said kirk with any other man till the said Mr. William his tryalls bie past, and hie found either qualified or not, in respect of his unanimous call to that charge. Agaynst which Mr. Robert Reid, Mr. Nathaniell Martyne, Mr. Duncane Forbes, Mr. William Ramsay, protested, for the reasones following: 1, Because to passe ane act ordayning a presbyterie to enter upon the tryalls of a young man within ther oune bounds, in relation to the opening of his mouth, beeing a practise formerly unheard off, seemes to speak out ether some strange prejudice agaynst that presbyterie, or some uncouth designe in the mater, or both of these, especiallie seeing the said presbyterie did never deny to admitt the young man to tryalls simple in relation to thie opening of his mouth, bot still offerred to admitt him in that relation. 2, The prejudice against the presbyterie seemes to be more therby spoken out by thie adjoyning of thie assessoris, ane unheard off incroachment upon a presbyteries priviledges; as thie presbyterie can not think thie Provinciall Assemblie so uncharitable as to look upon them as needing help in thie tryall of young men; so they can not conjecture what can bie thie true reasone of this, if it be not becaus they think thie young man may be dealt too rigorously with for his difference of opinion from them (if it bie the ground,) is a groundless prejudice, nor can any thing flowing from such a principle bie admitted by thie presbyterie, leist it should seem to be a taking with the challenge. 3, Thie third part of the said ordinance can not bie closed with, becaus it is a preparative never before passed (for any thing is knowne) that a presbyterie should be tyed so farr, to accept such ane unorderly call of a man uneapable for thie tyme, as to be obleidged not to proceed to the plantation of that kirk till that man wer tryed: as to the alleadged ground of this ordinance (to witt, the unanimous call

given to Mr. William Hay), thie presbyterie hes already made it appear, by ther anseres to the paperes from Crimond, that there was never yett any orderly and unanimous call of thie parish presented yett or seen by them. Besides that, though there had been such a call, it could not hawe been taken off ther hands for a man incapable of such a call for thie present, according to the actes of this Church; all quhich was clerly held out befor the Provinciall Assembly by thie Presbytery of Dear in their paperes and debates to that purposs. For these reasones, and otherres to bie added, in tyme and place convenient, thie persones above mentioned hawe dissented from, and protested agaynst, the said act, as is forsaid; as also, that they bie not tyed, by reason therof, to consent to, or admit of, any preparative towards the infringeing of ther owne libertyes, except during ther oune pleasure; and that thir presents be putt upon record *ad futuram rei memoriam;* and that the persones protesting may have authentik extractes from thie clerk, as they shall find need. In witness quherof, thir presentes ar subscryved by Mr. Robert Keyth, in name and at desyr of the rest. *Sic subscribitur.* Mr. Robert Keith. Agaynst which protestation forsaid, Mr. Alexander Forbes and Mr. Jhon Robertsone, memberres of the said Presbytery of Dear, entered ther disassent, and desyred to be put upon record.

Session 7th. Apryll 21, 1654. *Post Meridiem.*

The Assemblie perceaving the greatt heatt, splen, and differences betuixt Mr. Arthur Mitchell, minister at Turreff, and thie wholl Presbyterie of Turreff, as also that great differences betuixt the Presbyterie of Dear and thie most part of thee parishionerres of Auchredy, wherby ther was no probability of a peaceable setling of a minister in that congregation, therefor at the next Provinciall Assemblie, Mr. Arthur Mitchell, minister at Turreff, and that congregation, is annexed to the Presbyterie of Dear, and thie congregation of Auchready to the Presbyterie of Turreff; agaynst the second part of the which ordinance, quhich thie Assemblie conceaved to bie the most peaceable overture for composing and eschewing farther differences and bad consequences, Mr Robert Keith, Mr. Duncan Forbess, Mr. Nathaniell Martyne, Mr. Williame Ramesay, Jhon Irving of Brucklay, Alexander Lumsden of Elsick, protested, bot all the remanent heretoris, elderres, and parishionerres of Auchredy, did adhere to the said ordinance.

Session 8th. Apryll 21, 1654.

This day, Mr. Androw Cant, Mr. Robert Keith, Mr. Nathaniell Martyne, &c., whose names ar underwreitten, did offer a paper of fyve sheetts, which they called a remonstrance agaynst the defection of those in the Church of Scotland who did owne the last tuo Generall Assemblies, and a representation of the corrupt procedour of this Assemblie, as they alleadge and desyred the same to be redd and putt upon record. Thee Assemblie declared that they were willing to receave ther paper, and putt the same upon record, onely shew that they would hardly condescend to the present reading theroff, it beeing a paper so large and of so great contrivinges, wherin so many brethren be south us hade hade speciall hand, and which was send from them as thie Assemblie werr crediblie informed, except what was added in the closure therof relating to the actinges of the present Assemblie: And becaus of thie greatt confluence both of countrey peple and strangerres ther and then present, who might conceave prejudice agaynst the wholl Church of Scotland, and render ther wayes invidious to those who have the power for the tyme, and particularly might strick agaynst the procedur of this Assemblie. Notwithstanding the dissenting brethren forsaid so vehementlie pressed the present reading theroff (whill, as thie Assemblie hade no paper in readiness for the present to anser ther too, being surprysed therwith on a suddain), that they professed and alowed often and diverss tymes, with many threattning and reproachfull speeches, that the Assemblie should gett libertie to act on nothing till it werr first redd: And if thie Assemblie would not condescend, it should bie redd whether they would or not, in end least thie forsaid brethren, or any that werr ther present, should conceave that thie said paper did contayne any thing unanserable, either in poynt of reasone or fact, thie Assemblie did give way to the reading theroff, with this speciall protestation, that all the heareres should think and conceave of the same as a meer noyse and emptie sound of words, till the Assemblie should give a full anser therunto in wreitt. And the Assembly being presently to dissolve, appoynts Mr. Jhon Patersone, Mr. William Douglas, professor, Mr. James Chalmer, Mr. Andrew Strachan, Mr. William Keith, Mr. William Scrogie, Mr. Adam Barclay, moderator, to meett after the dissolving of the Assemble, and to draw upp ane anser to the said paper, which is to be presented at the first session of the nixt

Assemble, and beeing publicklie redd then and approven, to bie putt upon record, *ad futuram rei memoriam.*

Session 4th. October 18, Wesdensday, 1654. *Post Meridiem.*

Thie Assemblie taking to ther consideration thie act of the former Assemblie, anent thie annexation of thie parish of Turreff to the Presbyterie of Dear, and of the parish of Auchredy to the Presbyterie of Turreff, which endured onely to this Assembly. It bieing found that thie forsaids annexationes hade not produced the desyred and intended fruitts and effectes, bot that the Presbyterie of Dear hade studyed to take possession of a power and jurisdiction ovir the parish of Turreff, and withall keeped themselffes in possession of ther former power ovir the congregation of Auchredy, quharas thie act of annexation was copulative, and protested agaynst at the last Assembly by the Presbyterie of Turreff, unless that it werr copulative and provisionall, that is to say, that if thie parish of Auchredy would not submitt to the jurisdiction of the Presbyterie of Turreff, they would retayne ther former jurisdiction over the parish of Turreff, thie Assemblie, after muture deliberation, rescindes thie former act, and declares it voyd in tyme comeing. Agaynst quhich reannexation of thie parish of Turreff to thie Presbyterie of Turreff, Mr. Arthur Mitchell, minister of Turreff, in his owne name, and in name of the session of Turreff, and such of that congregation as would adhere, did dissent, protesting agaynst the forsaid act, and afterwards send in wreitt thie reasones of ther dissent, together with ane act of the session of Turreff.

Session 2d. *Post Meridiem.* May 6, 1656.

Anent a supplication presented by Mr. Androw Logie, sometyme minister at Rayne, bearing that hie was justlie deposed by the Generall Assemblie, 1643, for diverss points layd to his charge, the quhich guiltiness he does now humblie acknowledge, and desyres to repent for the same; as lykewayis that he does acknowledge thie equitie and justice of the said sentence. And the said Mr. Androw in the said supplication, humblie desyring that this reverend Assemblie would be pleased to look upon him as desyrus to edifie Gods people, and for that end his mouth might be opened to preach the gospell. Thie Assemblie, taking the said supplication to ther consideration, ordaynes thie Presbyterie of Garioch to meett at thie kirk of Rayne upon such a day as they shall ap-

point, with thie first convenieney; and that the said Mr. Androw shall. in thie face of thie congregation at Rayne, stand upp and acknowledge the equitie of his sentence, and that he is sorie for giving offense to thie Kirk of Scotland; and therupon to open his mouth as ane exspectant only.

Session 5th. *Ante Meridiem.* May 8, 1656.

Thie said day, compeared Mr. Thomas Gray, provost of Aberdeen, George Morisone, late provost therof, and Robert Forbes, present bailyie of thie said burgh, Robert Smith, master of thie Kirk Work, and some otheres commissionated from thie Councell of Aberdeen, in ther owne names and in name of thie communitie of thie said burgh, and gave in ane petition under ther hands, in name forsaid, desyring thie Assemblie to cognosce and determine in thie materr of ane appeall maid by them from thie Presbyterie of Aberden to this synod, and anent ane protestation made by them agaynst ane act made by Mr. Androw Cant in thie session of Aberdeen, contayning (as they alleadged) diverss innovationes and encroachments upon thie christian liberties of thie congregation; and desyred the forsaid appeall and protestation, and dyverss other paperes relating therunto, to bie presently redd, cognosced upon, and determined: which supplication beeing redd, thie partie petitioning bieing remooved, thie Assemblie judged it convenient, befor they should enterr upon any legall discusse in thie said business, to essey ane amicable composure of thie differences betuixt thie said petitioneres and thie said Mr. Androw Cant and session forsaid, therfor they did ordayne Mr. David Lyndesay, Mr. Jhon Patersone, Mr. Alexander Seaton at Banff, Mr. Androw Strachan, Mr William Douglass, Mr. Alexander Scrogie, Mr. William Guild, Mr. Alexander Garden, Mr. Gilbert Andersone, James Ogilvy of Ragall. ruleing elder, to meett in thie session house at tuo afternoone, to mediate ane reconciliation and to take away thie forsaids differences, to thie which peaceable overture thie commissionerrs of Aberdeen above wreitten did most willinglie acquiesce. Lykeas, tuo brethren bieing sent from thie Assemblie to Mr. Androw Cant's house did acquaynt him of thie conference, and tyme and place theroff, receaved ane anser from him that hie was content to attend it.

Session 6th. *Post Meridiem.* May 8, 1656.

After prayer hade, this day, thie brethren appoynted for the conference

betuixt thie provost, bailzies, and councell of Aberdeen, and Mr. Androw Cant, and session theroff, reported that thie commissionerres of thee burgh off Aberdeen above expressed did meett in thie sessione house at thie tyme appoynted, and werr readie with them to hawe gone on in a freindlie conference with thie said Mr. Androw and his session, butt that nether the said Mr. Androw, nor any from thie session, did countenance thee said meetting. Thie Assemblie judged it ther duety to proceed in thee trying and determining doctrinallie, at least, anent thie saids presentes novationes, and to discusse the appeall. And accordinglie, haweing heard thee said appeall and protestation above wreitten, and other paperres relateing to that business, tuyse redd, and haweing called befor upon Mr. Androw Cant, or any in his name, or in thie name of thie session, as commissionator from them to appear in that cause: Whill as thie Assemblie was goeing about the trying of that mater in a most sober, peaceable, and tender way, they werr commanded peremptorily by ane officiar from the commander in cheife within the towne, to desist from medling any more in that business, or otherwise to ruse; upon which motion thie Assemblie waved thie business, and layd it asyde to a more convenient tyme.

May 9, 1656.

Excommunicate persones within thie Presbyterie of Aberdene ar as followes:—Elspet Bettie, within thie parish of Marieculter, and Issobell Tailzeor, in Aberden, excommunicated each off them for quintilapse in fornication; Issobell Law, in Skene, excommunicated for quintilapse in fornication; Margaret [ ], in the parish of Skeyne, excommunicate for grosse cursing and swearing, severall whordomes, haunting with trouperis, profanation of the Sabbath day; James Midltoun, in Peterculter, excommunicate for whordome and contumacie; Mr. Thomas Lumsden, excommunicate in Aberden for apostasie from thie truth, and seducing of others; Mariorie Milne, excommunicate in Aberdeen for impudent whordome and contumacie; Christian Hay, excommunicate in Aberdeen for contumacie under suspicion of incest; Agnes Scott, excommunicate in Aberdeen for trelapse in fornication; Robert Logan, excommunicate in Aberdeen for poperie; Jean Lamb, excommunicate in Aberdeen for syndrie uncleannesses, receaving uncleane persones into hir house, and stirring them upp to uncleanness; Androw Guidall, younger, excommuni-

cate in Aberdeen for whordome and contumacie; William Leith and Christian Gray, excommunicate in Kinellar for adultery; James Irving and Janet Dickie, excommunicate in Drummaock for poperie; Alexander Lightowne excommunicate in Drummaock for deserting his maried wyff and goeing away with a whore; Thomas Duncan and Janet Crow, excommunicate in Nigg for cohabitation in adultery; Barbara Phinnie, excommunicate in Nigg for whordom and perjurie; Margaret Oliphant, Lady Balgony, excommunicate in Aberdeen for poperie; Marion Hendersone, excommunicate in Aberdeen for quadrilapse in fornication; Katharin Sutherland, excommunicat in Kintor for quadrilapse in fornication; Paul Colisone, late bailzie in Aberdeen, excommunicate for poperie: Patrick Lumsden, sone to Mr. William Lumsden, excommunicate in Aberdeen for poperie; Francise Irving off Govills, and [ ] Menzeis, younger of Balgowny, excommunicate in Aberdeen for poperie, and for educateing ther children in that way; Elspet Nuckle, excommunicate in Aberdeen for whordome and contumacie; Mariorie Bissett, in Fittie, excommunicate in Aberdeen for adultery and incest; Issobell Cowban, in Peterculter, for frequent cursing and scolding.

Session 2d. *Post Meridiem.* Apryll 21, 1657.

Anent the profanation of thie Sabboth by salmound fishing on Dye and Done, it is found that the same in some measer is restrayned, butt not fullie, for quhich cause the Presbyterie of Aberdeen is ordayned to use thie discipline of thie church agaynst transgressores in that business, and to deall effectuallie with the justiciaries of peace for curbing the same by ther authority.

Anent Mr. Androw Logie, sometyme minister at Rayne, thie Presbyterie of Garioch ar appoynted to hawe ane watchfull ey over him, and to look exactly to his conversation; and if they shall find him walking unsutablie to his former professiones of repentance, to censur him corrdinglie.

Session 3d. Apryll 22, 1657. *Ante Meridiem.*

Overtures for ane Union betuixt thie Provinciall Assemblie off Aberdeen and thie dissenting brethren within this province.

Thie Provinciall Assemblie, laying to ther deepest and most serious

consideration thie sadd and lamentable effectes which thie divisiones and rupture of this church hawe produced these few yeares bygone, to thie strengthening of thie hands of wicked men, enemyes to trueth and reformation, and to the weighting and afflicting of the spirites of thie godlie, who hawe been groaning under that woefull vreath, and looking for a day of healling: And more particularlie, casting ther eyes back upon the disorderres and confusiones which thie publick differences hawe produced in this Synod, to thee great offense and stumbling of thie Lord's people in this corner of thie land, hawe resolved, in order to peace, and for cementing and soulderring together of this distracted and disjoyned Assemblie, that we and our brethren may sitt and act together joyntlie, in all materres ecclesiastick, for the advanceing of trueth, holiness, and peace, both amongst ourselffes and thie Lords people under our severall charges, not to search in a censorious way, nor to rype upp and reflect upon any heatt, splen, prejudices mistakes, and disorderres, which hawe fallen out in our former meettinges, butt burying all these personall overeachinges in oblivion, that in tyme comeing ther may bie ane harmony and more brotherly understanding amongst us, hawe unanimously, on our partes, concluded to offerr, lykeas wee doe offerr to our dissenting brethren thie overtures following:

1. First, we ar content, in order to peace and agriement with our brethren, to lay asyde, and not to medle with, thie publick differences, nor any branch theroff; reserving all wayes thie freedome of our judgment anent thie constitution and authoritie of the tuo late Generall Assemblyes at St. Andrewes, Dundy, and Edinburgh *respectiue*, and anent thie publick resolutiones. Lykeas wie desyr the samen of our brethren, reserving to them thie libertie of ther judgment anent the said resolutiones and Generall Assemblies, and anent ther declinatures and protestationes agaynst them. So that wie ar content that none of these thinges bie once named amongst us in order to any debate, contest, or censur.

2. Secondlie, we ar content, in order to peace, to take off, lykeas wie heerby, for the end forsaid, wie doe take off any restraynt which hath been by this synod upon any presbytery within the same, or putt by any presbyterie within its oun boundes upon itselff agaynst thie enterring to thie ministerie of any exspectant, transplanted minister, or elder. upon thee accompt of thie publick differences, or for ther judgment anent

thie declinatures and protestationes forsaids; and that no such bounds or restraint, for thie tyme to come, shall be layed on by this synode, or any presbyterie within its bounds; reserving, as befor, thie freedome, libertie, and authoritie of the tuo last Generall Assemblies, and ther actes theranent. And wie shall not putt any of those actes to execution, for peace sake: provyding alwayes that none be enterred to the ministerie, nor any office in Gods house within this province, who ar not orthodoxe, and off a sound judgment anent Presbyteriall government, in thie due authoritative subordination of inferiour church judicatories to higher ecclesiastick judicatories, according to thie covenants and actes of Generall Assemblies befor our late differences did aryse.

3. Thirdlie, wie ar content, iff our brethren return and sitt with us in our Assemblies as memberres theroff, that, iff it shall happen any particular differences to aryse amongst us about ecclesiastick differences, relating properly to this provinciall, or any presbyterie, or congregation, or person therin, that thie saids materres shall be discussed in a brotherly, peaceable, grave way, without any reflexiones (which are unbeseeming thie preachers of peace); and that thie synod shall give formall sentence in thie saids particulares, according to the word of God and actes of uncontroverted Generall Assemblyes. And, iff any of thie Assemblie shall apprehend themselffes greived by any such sentence so judged, then, and in that case, it shall not bie lawfull for any minister or member, or presbyterie, or partie in thie Assemblie, to declyne or separate from thie Assemblie, but modestly to enter his or her dissent, protestation, or appeall. But the mater judged in to stand so, till it bie reduced or rectified, or made voyd, by ane superiour church judicatorie, or by a succeeding Provinciall Assemblie.

4. Fourthlie, wee desyr that there bie no encroachment made by any presbyterie, or minister, or elderres amongst our dissenting brethren upon thie just power and libertie of christian congregationes in thie call of ther ministeres, nor upon thie just authoritie and jurisdiction off presbyteries and synods in thie entrie of ministeres to ther offices and benefices, nor upon any other presbyterie, or member thairoff, contrarie to thie established lawes and practise of this church, and to thie actes of Generall Assemblies befor our late differences did aryse. Lykeas we promeyse thie lyke on our part.

Which, bieing redd in the face of the Assemblie, and maturely con-

siderred, werr approven unanimously (except Mr. Adam Barclay, younger. who did enter his dissent), and, by a public vote of thie synod, ordayned to bie thie basis and foundation off this present union weth our brethren : with which ordinance and concessiones above wreitten, Mr. Robert Keith. Mr. Nathaniell Martyne, Mr. Alexander Cant, Mr. Robert Cheyne, Mr. George Watsone, Mr. Androw Abercrombie, as representing and haweing commission from ther remanent brethren, bieing personallie present, werr fullie satisfied, and acquiesced thertoo, and accordinglie did presentlie joyne and sitt as memberes of thie Assemblie.

Session 4th. Wesdensday, *Post Meridiem*. Apryll 22, 1657.

Thie said day, thie Assemblie takeing to ther consideration thie differences betuixt the Presbyterie of Turreff and Mr. Arthur Mitchell, and how necessarie it was to take tryall off, and to setle thie controversies betuixt thie forsaid presbyterie and thie said Mr. Arthur, did nominate Mr. Jhon Patersone, Mr. William Douglas, Mr. Androw Strachan, Mr. Alexander Cant, Mr. William Seaton, younger, Mr. George Garden, Mr. Robert Cheyne, Mr. Alexander Midltoun, Mr. Alexander Swann, Mr. Robert Keith, Mr. Nathaniell Martyne, Mr. Arthur Forbes, Mr. William and Mr. James Chalmeres, Mr. Alexander Scrogie, Mr. Alexander Garden, Mr. David Lyndesay, Mr. Gilbert Andersone, George Meldrum, Mr. Jhon Abercrombie, and William Gordounn of Lesmore, ruleing elderres. to meett at Turreff upon the first Wesdensday of Junii nixt, bie ten houres in thie morning, uith power to them to adjourne thie meetting in respect of tyme and place as they shall find necessarie ; giveing and granting to thie said brethren and ruleing elderres, or any eleven of them (who ar heerby declared to bie a quorum), full power and commission to try, cognosce, and to give finall sentence in all thie particular controversies and differences betuixt thie said presbyterie and Mr. Arthur Mitchell, particularlie concerning ane act registrat in thie Presbyterie Book off Turreff agaynst thie said Mr. Arthur as a calumniator, as also anent thie processe and deposition off Mr. Jhon Lasone, schoolmaster at Turreff, as also anent the process and excommunication off William Hendersone in Auchredy, and generallie, to close and finallie determine all other differences betuixt the forsaid presbyterie and Mr. Arthur Mitchell, according to the Word off God and actes of Generall Assemblies befor our late differences did aryse, and to bie anserable in thie wholl procedure to thie

nixt Provinciall Assemblie ; as lykewayes, thie Assemblie gives power to thie forsaid brethren and ruleing elderres or to a quorum of them, as said is, to take cognition of thee supplication presented by Mr. Thomas Thores, for opening of his mouth as ane exspectant, and, if they did see just and evident grounds, to open thie said Mr. Thomas mouth as ane exspectant. Lykewayes, thie Assemblie did recommend to thee forsaid brethren to deall effectuallie with thie Laird of Fedderate, and some otheres of thie parish of Auchredy, that they would bie pleased to acknowledge and accept off Mr. Gilbert Clerk as ther lawfull minister, that so his ministerie might bie thie more peaceable and comfortable ; and thie Assemblie ordaynes Mr. William Douglas, Professor off Divinity, to preach at the said meetting.

Anent reading publickly in thie church by such as can not interprett thie Scriptures within thie bounds of thie Presbyterie off Awfuird, thee materr heeranent is referred to the Presbyterie off Awfuird.

Session 2d. *Post Meridiem.* October 20, 1657.

Thie said day, Mr. Alexander Scrogie, who was commissionated by thie former Assemblie to goe to Edinburgh, and ther to represent to thie Counsell of Estate thee increase of poprie within this province, and to deall effectuallie with them to take speedie course for repressing of poperie heer, did declare befor thie Assemblie, that, seeing thie counsell at Edinburgh was takeing (as appeares) exact course theranent, hie was advysed by dyverss of thie gravest and wysest of thie ministerie to delay his overgoeing till this Assembly. Thie Assemblie, haweing heard and considderred thie tenor of this his report, werr well satisfied theruith, and discharged thie sending over of him or of any other commissioner to the counsell in order to thie repressing of poperie, till they should sie what effectes ther actes lately made agaynst papists should take.

Session 3d. *Ante Meridiem.* October 22, 1657.

After prayer hade, thie Assemblie ordaynes that Mr. Jhone Patersone, Mr. William Douglas, Mr. Androw Strachan, Mr. Robert Keith, Mr. Ludovick Dunlopp, Mr. Alexander Swann, attend the next meetting of thee justiciares of peace, that course may bie taken for obtayning so much of peynalties as belonges to the Church's part.

Session 5th. October 22, 1657. *Ante Meridiem.*

Anent deposed ministeres yett medling with the ministeriall calling by marieing persones, thie Assemblie ordaynes them to bie excommunicated. and a referr to bie maid to thie High Councell of Estate for takeing strict order with thie persones that shall bie maried either by preists or deposed ministeres; and that thie present moderator shall wreitt a letter to thie ministeres at Edinburgh to assist earnestlie our desyres befor thie councell.

Session 6th. October 22, 1657. *Post Meridiem.*

Thie said day, thie commissionerres from thie parish of Crimound did present to thie Provinciall Assemblie off Aberdeen a complaint and supplication agaynst Mr. Jhon Stewart, bearing that ther minister, Mr. William Hay, was interrupted and hinderred by him in thie discharging of his ministeriall charge at thie kirk of Crimound. Thee Assemblie after hearing, reasoneing, and debaiting off thee forsaid business for thie space off tuo or thrie houres, and a full hearing off all parties interested, finding it manifestlie notour that the said Mr. Jhon Steward complayned upon was guiltie off ane unparalleled intrusion upon thie said congregation off Crimound and upon ther minister, William Hay, thie said Mr. Jhon haweing no lawfull calling to that charge, butt studyeing to keep himselff in his forsaid vsurpation over that parish by misrepresenting thie said mater to his Highnes Councell in Scotland and to thie civill judicatories, which misrepresentationes shall bie made out befor his Highnes Councell in tyme and place convenient, when they shall bie called for; as also, thie Assemblie taking to consideration thie long continued sufferinges of that people by thie said Mr. Jhon and thie Presbyterie of Deer, his abettors, as shall bie made manifest in tyme, when they shall bie called for: Therfor, thie Assemblie does declar thie said Mr. Jhon ane intruder upon thie said congregation, and ordaynes him to desist from thie exerceiss of thie ministerie and all thie exerceiss theroff within thie said congregation of Crimound from this day foreward; and that under thie pain off deposition in case off his transgression off this present act Agaynst which ordinance, Mr. Robert Keith, Mr. Androw Cant, Mr. Alexander Cant, Mr. Duncan Forbes, Mr. Arthur Mitchell, Mr. Robert Cheyne, Mr. George Watsone, enterred ther dissent. Mr. Jhon Stewart protested agaynst the vote off thie Assemblie, as also agaynst that part

off thie bill challenging him off fornication unsatisfied for; lykeas Mr. Robert Keith protested, and appealled to thie next frie Generall Assemblie.

Session 7th. October 23, 1657. *Ante Meridiem.*

The said day, Mr. Adam Barclay, younger, minister at the kirk of Kinbettock, did offerr to the Assemblie ane supplication, quhilk hade been given in to the Presbyterie of Awfuird formerly, subscryved by a number of the elderes off Kinbettock, desyring liberty to erect and establish one to read the Scriptures in thie face of that congregation Sabbathlie befor sermon, backed with a number of alleadged reasones, quhilk the Presbyterie of Awfuird hade referred to this Assemblie, together with a procuratorie granted bie thie said elderres to thie said Mr. Adam Barclay, ther minister, giveing to him full power, in ther viee and stead, to present and vrge thie said supplication before thie Assemblie: Quhilk was at first by thie Assemblie altogether repelled, not granting libertie to read it, as beeing impertinent for thie Provinciall Assemblie, as contayning that quhilk is contrarie to thie mynd and ordinance of the Generall Assemblie; yett afterwards, it beeing much pressed by some of thie Assemblie that the said supplication might bee redd, that they might hear quhat it did containe, ther desyr was granted, and thee supplication redd. wherwith thie Assemblie was much displeased, and ordayned that no minister uithin the province should sufferr this or any such innovation gett any way uithin ther severall congregations, but that thie directorie for worshippe established by thie Generall Assemblie bie observed in all poyntes, under the pain of censur.

Thie Assemblie haweing heard Mr. Adam Barclay, younger, utter, in face off thie Assemblie, some speiches agaynst Mr. Alexander Cant, and taking offense therat, did sharplie rębuke the said Mr. Adam, and gravely admonished him to stryve agaynst humor and heat. The said Mr. Adam humblie reverenced thee judgment off thie Assemblie theranent, and craved them and thie said Mr. Alexander Cant pardon.

The Provinciall Assemblie of Aberdeen haweing, upon verie just, releuant, and conscientious groundes, convicted Mr. Jhon Stewart guiltie off a most unparalleled intrusion upon the congregation of Crimound, and

ther minister, Mr. William Hay, and haweing commanded thie said Mr. Jhon to desist from the forsaid intrusion in all tyme comeing, under thie pain of deposition, did judge it convenient for thie undeceaving of his Highnes Councell of Scotland, and off other civil judicatories to whom thie said mater hath been already misrepresented, and for cleering and vindicating ther proceedinges therein from any future misrepresentation, and for testifieing the synods report to his Hignes Councell, and other civill judicatories, and that thie Assemblie hath not rubt in the least measure upon any order issued from them anent thie forsaid business, and for vindicateing of trueth, preserving of the christiane libertie of congregationes, and for stopping such a dangerous prescident, which may overturne thie government of this national Church in thie entrie of ministers to ther office and benefice, to send a commissioner for the effect above wreitten: therfor the Provinciall Assemblie does heerby commissionat and impower ther reverend brother, Mr. James Chalmer, minister of the gospell at Cullen, to appear befor his Highness Councell of Scotland, or any other judicatorie befor whom thie said business shall come, and, in ther name, to informe, reasone, and to offerr everie other thing necessarie for cleiring off thie said business, quhilk thie Provinciall Assemblie could hawe done bieing ther present themselffes, and to hold firm and stable his presemt commission.

The said day, thie committee appoynted by thie former Assemblie for setling thie differences betuixt the Presbyterie of Turreff and Mr. Arthur Mitchell, minister at Turreff, in all the particulars, whilk ar contayned at length in thie commission granted to them by thie said Assemblie, being called to give ane accompt of ther diligence, ansered, that they hade keeped thrie diverss meetinges for that effect, one at Turreff, another at Tarvass, thie third at Ellon; and yett, the debaites and differences beeing long, and sometymes wanting a quorum, they hade not as yett concluded any thing, although they hade brought these debaittes a greatt length towards agriement: therfor the Assemblie ordaynes, for peace sake, to wave any further procedour theranent, till thie next Assemblie, till which tyme all thie forsaids particulars should continue *in eodem statu quo prius.*

Session 3d. *Ante Meridiem.* April 21, 1658.

The said day, ane humble supplication from thie Universitie of Old

Aberdein, under the handes of thie principall, civelist, professor of medicine, sub principall, humanist, and regentes theroff, was presented to this Assemblie, shewing, that they, bieing verie sensible off ther great straitning, and want of due accommodation, for ther students, as also haweing in thie north east quarter off thie said universitie ane unsure and unseemely patent place, hade resolved (God willing) to close it upp with a new fabrick already begun and goeing on daylie; and, becaus the said new fabrick will call for vast charges farr beyound ther present power to reach; and, except thie Lord moove thie heartes off favourers off pietie and learning to commiserate ther house, a seminarie off both these, and a nurserie both for church and state, and to contribute with them some considerable charitable supplie for promooving of so laudable and profitable ane undertaking, it may certainely bie feared to runn verie neer to thie ruine of that ancient and famous seed plott: therfor they humblie supplicate, and earnestly intreat ther honours and wisdomes of this reverend Assemblie to contribute with them such charitable supplie, for thie advanceing off that abovesaid fabrick, as thie Lord shall moove ther hearts to bestow upon so necessarie, so pious, and so good a work, everie one of them nameing (as some others have done) his oune charitable contribution, that they may hawe thie list of all under thie clerks hand; and that they may bie favorablie pleased each of them to assist ther respective commissioners in thie ensueing vacancie, in obtayning such charitable supplie from noblemen, baronss. gentlemen, wedsetters, and all heretoris whatsomeuer, within ther respective parishes, as thie Lord shall moove their hearts to bestow; and that after preymonition they obtayne a collection from thie commons, in ther severall respective parishes, for the above said use. Thee Assemblie, haweing at length heard, and taken to ther grave consideration, thee said supplication, does heartily and unanimously accept of thie same; and, haweing caused ther clerk call upon thie severall ministeres present at this Assemblie, students of divinitie, and ruleing elders, everie one did name his owne charitable contribution, as thie paper contayning everie on his charitable contribution at length beares, and to hawe ther severall contributions in readiness at the next Assemblie.

Session 6th. *Post Meridiem.* Thurisday, Apryll 22, 1658.

After prayer hade, a supplication bieing given in by thie burgh of Peterhead for a charitable contribution for thie helping to put upp thie

bulwark of ther south and north harbours of that sea port, utterly demolished by the extraordinarie storm in December, 1655; and thie reedificing theroff being of so much concernment for thie good of thie country, and tending so much to thie preservation of ther shippes, goods, and lyves of many persones, thie Assemblie, takeing to ther consideration the necessitie of thie work, and that it is above the power of thie towne to performe it, recommendes thie said business to thie charitable contributions of thee severall ministers, barons, comons, and others, and that thie ministers of this province shall deall effectuallie with them therin.

Anent the Lady Meldrum, Anna Crightoun, relict of umquhill William Seatoun of Meldrum, who is maryed with George Ogilvy, ane excommunicate papist, and by a preist, as is alleadged, thie Assemblie ordaynes thee Presbyterie of Garioch to process the said Anna Crightoun for her scandalous cohabitation with thie said George Ogilvy, and for unlawfull alleadged marriage.

Session 2d. *Post Meridiem.* October 18, 1658.

Anent Lord Charles Gordoun, thie Assemblie appoyntes Mr. William Douglas, moderator, Mr. Jhon Patersone, Mr. Jhon Menzes, Mr. James Chalmer, and so many brethren of thie Presbyterie off Kincardyne, as they shall think fitt to joyne with them, to conferr with thie said Lord Charles anent his relligion, and that thie place of meetting and conferring with him shall bie in his oune choyse, either in Aberdeen or elsequhair, he being advertised; and that thie forsaids brethren be ready to give ane accompt of ther diligence at the next Assembly.

Session 4th. October 19, 1658. *Post Meridiem.*

Thie said day, Mr. Jhon Patersone, late moderator, produced a letter from his Highness Councell of Scotland, desyring that Mr. Jhon Stewart, and Mr. William Hay, minister at Crimound, might be planted elsequhair, that ther might bie a third able godlie minister planted at Crimound, upon thie call of thie congregation ther, which letter beeing seriouslie thought upon by thee Synode, they did in obedience thertoo, and for peace's sake, make offerr to thie Presbyterie of Deer, that thie church of Deer should bee presentlie declared vacant, that so thie congregation might proceed

to call a third to bie ther minister, resolving to cast over Mr. William Hay upon the providence of God, albeit lawfullie called and admitted to that congregation: For thie Assemblie judged it a greatt burden upon that people to keep them longer in a starving condition in reference to Gospell ordinances, for they knew not how long it might bie befor Mr. Jhon Stewart could hawe a call to any place, in respect of his intrusion upon the parochyne of Crimound, and of his open contempt of the authoritie of the Synod. This peaceable and rationall overture beeing much pressed upon thie Presbyterie of Deer, they did peremptorily refuse thie same: Wher upon thie Assemblie found them ingaidged to proceed agaynst thie said Mr. Jhon Stewart, for thie vindication and mantenance of ther oune authority; and thie Assemblie bieing crediblie informed that thee said Mr. Jhon Stewart was either absent of purpose, or lurking within the towne of Aberdeen, to eschew the censure of thee Syond, thie Assemblie knowing it to be abundantly notour that thie said Mr. Jhon Stewart hade transgressed ther former act most proudly, avowedly, and contemptuously, by constant preaching at the kirk of Crimound since ther forsaid act, to fyve or sex inconsiderable persons within the parish of Crimound, whill as thie wholl body of the people was forced many tymes to waitt on publick ordinances in thee open air, did depose, and doth heerby depose, the said Mr. Jhon Stewart from the ministerie in all thee parts theroff, and commanded him to forbear, *hinc inde*, to exerceiss any part of thee ministeriall calling, under thee pain of excommunication. Immediatly after thee pronounceing of which sentence, Mr. Jhon Stewart appearing in thie Assemblie, as it would seem from his skoulking, thee moderator did intimate thee forsaid sentence unto him, beeing personallie present, which sentence thee said Mr. Jhon did take most proudly and contemptuously, and did avow in thie face of thie Synod that hie would disobey thie forsaid sentence; agaynst which act of deposition Mr. Robert Keyth, Mr. Nathaniell Martyne, and some other protestators, enterred ther verball protestation, promeising uithin ten dayes to give in ther protestation in wreitt to thie moderator or clerk, contayning reasones theroff.

Session 2d. Tuysday, Apryll 19, 1659. *Post Meridiem.*

Anent Walter Ogilvy his mariage with Anna Gordoun above mentioned, thie Assemblie ordaynes, that in respect of a letter from thie Presbyterie

off Fordyce to the Presbyterie of Gareoch anent thie said mariage, that the tuo forsaid presbyteries shall meett and take course theranent, and give ane accompt off ther diligence to the next Assemblie.

Session 4th. Apryll 20, 1659, Wesdensday. *Post Meridiem.*

The grounds and reasons of Mr. Jhon Patersons call to bie minister at Aberdeen, represented to thie reverend brethren off thie Provinciall Assemblie of Aberdeen, conveened at thie Kings Colledge in Old Aberdeen, the nyntent day off Apryll, 1659 yeers.

The said Mr. Jhon Patersone was called to bie minister of Aberdeen bie consent off thie wholl inhabitants of thie said burgh and people of this congregation, viz., bie thie provost, bailyies, councell, and community, as thie severall acts off councell and toune, bearing thie samen doe sufficiently instruct; and at thie tyme of thie wholl people ther call, ther werr conveened many hundreds of peple of all sortes, and all in one voyce did consent, except onely our reverend pastor, Mr. Androw Cant, who, uithout any just reasone yett knowne to us, though oft requyred, can not be induced to give his consent to thie said call, but oppones thie same, and hes not ceased since that tyme to reflect upon thie persone called. Wee conceive his call ought not to be refused by thie Presbyterie of Aberdeen, it bieing grounded both upon commone reasone, equitie, and law, bicaus, when thie peple are destitute of ane pastor, it is ther duety and priviledge to desyr and fall upon ane fitt and able persone who may give them contentment; and haweing all respect to thie ecclesiastical judicatories, and nowayes to derogat any thing from them to supplicate the brethren of the presbyterie that they uould approove of ther choyse, and goe on in thie ordinarie way for obtayning thie persone nominate to bie ther minister; and seeing the toune off Aberdeen hawe been so tender and so observant of the presbyterian way and present order of thie Church of Scotland, it is our desyr that in these tymes of different judgments they bie not discouraged, and gett noe just occasione to startle as uthers doe; and this powir off nomination by thie people hes been observed in this burgh since evir it was in capacitie to hawe ministers off thie Gospell, yea, uithout any respect or relation to ane right of patronage which may bie alleadged to hawe been taken away bie thie late acts off Parliament and Assemblies, which is cleer by thie call off Mr. Androw Cant and othirs since his entrie; as also, wie hawe this bie our greatt charter

granted bie thie supreme authorities to this burgh. Wie shall onely mentione thie last charter granted in anno 1638, thie words wheroff relateing to this purpose ar: Et quia ecclesie Sancti Nicolai vetus et nova, ecclesia Franciscanorum, ecclesia collegiata vocat. capella Sancte Catharine, capella Sancti Niniani super montem castri, capella Sancti Clementis, ecclesia de Futtie nuncupat. infra dictum burgum nostrum de Aberden, libertatem et territorium ejusdem jacen. ad quas ecclesias capellanias dict. prepositus, balivi, senatus et communitas ejusdem burgi nostri suique predecessores omnibus temporibus retro actis quando vacare contigerint ministros et capellanos elegere presentare nominare et providere solebant et illis persolvere stipendia (nulla alia stipendia nec victus habentes). Igitur pro causis supra scriptis nos cum consensu predict. ratificamus approbamus et hac presenti carta nostra confirmamus, tenore ejusdem ratificamus, approbamus ac pro nobis nostrisque successoribus pro perpetuo confirmamus antedict. usum consuetudinem et possessionem, que dictus prepositus Balivi senatus et communitas dicti burgi nostri suique predecessores in eligendo nominando presentando et providendo ministros et capellanos antedictis ecclesiis et capellis, et capellaneis eorundem quando vacare contigerint Et volumus concedimus proque nobis nostrisque successoribus pro perpetuo decernimus et ordinamus, quod dicti prepositus, Balivi, senatus et communitas dicti nostri burgi de Aberden suique successores omnibus temporibus affuturis antedict. privilegium usum et consuetudinem observabunt et exercebunt et in futurum ut in temporibus retroactis in eorum jure et possessione hujusmodi permanebunt atque ministros capellanos aliasque personas ad curam serviendi predictas ecclesias et capellas in futurum ut in temporibus preteritis eligent presentabunt nominabunt et providebunt, absque ullo impedimento, molestia, perturbacione vel contradictione Et volumus et ordinamus ut episcopus Abredonensis et ordinarius pro tempore recipiat et admittat ministros et personas per dict. prepositum balivos et senatum dicti burgi nostri suosque successores eligendos, nominandos et presentandos in et ad ecclesias et capellas servitium eorundem et functionem aptos et qualificatos existen. et illis institutionem et collationem si opus fuerit in debita forma absque obstaculo seu impedimento quocunque desuper dabit. Ratified in Parliament anno 1645, which are without any expression off patronage or right theroff, butt onely giveing thie nomination to thee people. This is also conforme to thie book of discipline, giveing thie

nomination to thie people in thie call off thie ministrie is in thie first book of discipline, pag 27, and syndrie other places; as also, this is conforme to thie act of Parliament in [ ], 1649, wherin is taken away thie power of patronage, and thie nomination declared to belong to thie people. Butt if it shall bie alleadged that thie power off nomination is in thie session's hands, and doth belong to them as thie representative of thie people, and that act off Parliament remits to the Generall Assemblie to determine what is thie proper interest of congregations and presbyteries in provyding off kirks, and quhat is to bie accounted thie congregation haweing that interest, and that thie Generall Assemblie holden in anno 1649 hes determined that thie minister is to bie chosen by thie session, it is ansered to that, that reference in thie act of Parliament doth nowayes concerne us, becaus our nomination was still befor in thie people's hands, and could not fall under that act as bieing taken away, for we hade not thie nomination bie vertue of that power, butt bie thie peoples priviledge. 2. That reference is onely to determine what shal bie thie proper interest off thie congregations and presbyteries in provyding kirks, at which wie did never quarrell nor make question that thie presbyteries part was to approove, examine, admitt, and give ordination, and wie beleeue they will not crave more. 3. As for that expression in thie act (what is to bie counted the congregation haweing that interest), and that is ansered by thie act of thie Assemblie, that the session hath thie nomination, wee say, first, that it is not referred to them to determine what part of thie congregation, whether the representatives or thie wholl body, shall hawe that interest, and iff ther bie tuo representatives, what representative, but quhat is to be counted the congregation, and this seemes to bie rather ansered in thie 5 and 6 articles of that act, that no scandalous persone should hawe voyce, nor no malignant congregation should hawe that power. 2. This cannot strick agaynst us, wee bieing not comprehended at all under thie abuse of stranger patrons, which is thie reasone off thee act, butt wee haweing thee power off nomination in thie people's hand, which is approoven be the act, and wheroff we hawe been in use ever since thie act off Parliament and thie Assemblie as in Mr. James Durrham's nomination, which was never challenged by the reverend Assemblie of Glasgow, and in Mr. George Meldrum's procedure, wie know no other way to hawe been observed, butt that which was still observed within this burgh. And thie

method of thie last act of the Generall Assemblie was in no wayes thought upon, looked to, nor observed, which can not hawe thie force off ane law, never bieing reported to thie parliament, and approoven ther, which proves onely the essence to ane law; and albeit we conceave thie peoples priuiledge in this nomination to bie ondoubted, and doe adhere therto; yett, but prejudice of our right, wie still stryve to informe thee reverend Assemblie, that ever in this poynt, in relation to thie consent of this present session, Mr. John Patersone his call is to bie approoven, for wie offerr us to proove that, upon the sexteint day of December last, when thie state off thie question bieing call or not call, and it bieing voted in session, Mr. Jhon Menzeis being moderator, and Mr. Androw Cant haweing remooved befor thie stateing of the question, ther werr then onely but eight others, to witt, Mr. John Menzes, Mr. Alexander Skeyne, Mr. John Campbell, Charles Dunne, George Meldrum, Charles Robertsone, Thomas Melvill, and David Gregorie, wheroff fyve, to witt, Mr. Jhon Menzeis, George Meldrum, Charles Robertsone, Thomas Melvill, and David Gregorie, werr assenterrs to thie call off thie said Mr. Jhon Patersone, and did call him; and thrie onely, to witt, Mr. Alexander Skeyne, Mr. Jhon Campbell, and Charles Dunne, did disassent from thie said call; and so thie assenters ar superiors, and in numberr more then thee disassenteres. Iff it bie objected that Mr Androw Cant, ane dissenter, is omitted, it is ansered, that Mr. Andrew Cant was not ther thie tyme off thie voyce, and so *cadit suffragio:* iff it bee replyed that hie hade expressed his dissent befor, it is duplyed that *non relevat* except hie hade been present at the voyce, for who knowes butt at that tyme thee Lord might hawe fallen upon his heart and changed his opinion, and hie changed his voyce as others did in our contrar. 2. If it bie objected that James Swaun is ane elder, and did disassent, it is ansered, that hie can hawe no voyce, being clerk and ane stipendiarie, which was never seen in Aberdeen that any stipendiarie clerk hade voyce in session, and we beleeue that it is not observed in othir places in Scotland. 3. Iff it bie objected that Walter Melvill is ane elder, and did disassent at that tyme, it is ansered, that he is a deacon, and bie act of session, daited thie 19 day of Februarie, 1656, hie is adjoyned in ane precinct as deacon with Mr. Alexander Forbes, who was undoubtedly elder; and albeit in that same act ther ar tuo deacons joyned

uith one elder, yett never one elder putt for ane deacon, and no precinct uithout ane deacon, for that would bie agaynst thee narrative off thie act running upon the paucitie of elders in respect off ther not acceptance and not attending; 2. Walter Melvill did ever goe about and discharge thee office off a deacon, in distributeing thie moneyes belonging to thie poor; 3. Hee did subscrive Mr. James Durrham and Mr. William Raites calls as deacon, quhich wie can instruct be ane act of our counsell, contayning thie report of ane commission granted bie thie session, and asserting it to bie subscryved bie Walter Melvill as deacon, thie veritie theroff, in further corroboration, wee referr to Walter Melvill his oath. 4. Iff it be objected that David Gregorie is deacon, and wie reckon him as ane assenting elder, it is ansered, he is ane elder bie thie said division of precintes, and hes George Pyper adjoyned to him as deacon; 2. Hie subscryves thie said commission as elder; 3. Hie hes exerceised onely thie place off ane elder, and not the function of ane deacon. And albeit it hade been so that one or tuo elderrs werr dissenterrs more then assenters, wie trust the reverend Assemblie shall never regard them to counterpose thie wholl body of thie inhabitantes off this burgh, and this wholl congregation, consisting of some thousands, who did give him ane vnanimous call upon thie [ ] day off [ ] last. Wie shall therfor humblie desyr all our reasons to bie taken in complexe, and thie estate of this burgh rightly to bie considderred, that as ther many good Christianes, it may not bie altogether of Mr. Androw Cants judgment, who notwithstanding ought not to depryved off thie benefit of the Gospell and publick ordinances: and ther is no reasone or cause ever mentioned agaynst thee said Mr. Jhon Patersone, nor can ther be any as wie conceave; and what prejudice thie inhabitants of this desolate burgh may sustayne, thorow thie long vacancie off ane minister. All these beeing considerred, wie shall esteem ane hopefull expectation of ane favorable anser.

Session 5th. Thurisday, Apryll 21, [1659.] *Ante Meridiem.*

After prayer hade, the said day, compeered Mr Androw Cant, and such of thie Presbyterie of Aberdeen as did adhere to him, desyring that thie last paper which was given in to thie Assemblie by thie commissioners of thie burgh off Aberden, in reference to Mr. Jhon Patersones call, might bie delyverred to him, promeising to returne ane an-

ser thertoo this day, at four houres in thie afternoone; which desyr thie Assemblie granted, and requyred all parties interested to bie present at the said dyett.

Session 6th. Thurisday, Apryll 21. *Post Meridiem.*

Anent James Crowdan, a charmer uithin thie bounds off thie Presbyterie off Deer, referred to thee uisitation off thie book of Deer; as also, thie Assemblie recommends to all ministers uithin this province to speak agaynst charming, heathenish customes in cutting off thee heades of beasts, and carieing off them from one lairds lands to another, when ther exercises shall offer occasion to speak to that poynt, and upon conviction to processe them.

In respect off thie shortnes off tym thie Presbyterie of Aberdein hade to considder the commissioners of Aberdein ther last paper, wie shall not trouble thie Assemblie with a particular anser to everie article therin, according to thie method they hawe sett doune; butt, considdering all that they hawe said may bee reduced to these tuo heads, viz.: 1, They endeavour to proove that thee act of Parliament for disannulling patronages cannot militate agaynst them, bicaus by that act the power of presentations was onely taken out off thie hands off extrinsick persones, and putt in thie hands of thee people; which power hes at all tymes remayned in thie hands of provost, bailyies, and communitie of Aberdein, as may bie seen by diverss of ther evidents and greatt chartors confirmed by thee successive authorities, particularly by thie last chartor granted in anno 1658, wherby they plead that the church sessions can clayme no more interest in thee nomination of ministers then evir they hade befor the year 1649, wherin that act for annulling patronages was made. 2, That tho it should bie evinced that thie session hes thee onely powir off nomination by tuo off thie late actes of Parliament and Generall Assemblie 1649, yett they undertake to make out that thee pluralitie off elders did give a call to the said Mr. John, which they think sufficient; and layes by deacons as haweing no power of voting in any act of sessione, whether judiciall or not. But to the first of these, viz., that thee act for disannulling patronages can not strick agaynst them, for the reasone above mentionat, it is ansered, 1. That that act hes more in it then taking

away thee power of presentationes out of thee hands of extrinsick persons, sieing it wes of so large ane extent that it must needs be understood to comprehend thee case and condition of all the congregations off thie nation, intending therby to lay a setled foundation for the right orderring off a call to ministers in all thie congregations off thie land, that ther should not bie any want of due priviledge in one congregation more then in another; and therfor did recommend to thie care and wisdome of the Generall Assemblie to sett doune such a way as might bie ane uniform rule for all, and to determine what is thee proper interest of congregationes, and who was to hawe the priviledges theroff. Butt so it is, that in order to that reference, thee Generall Assemblie hes putt thee wholl regulateing of the nominations and calls of ministers in the hands of sessiones, and thee most proper representative of the congregations in all ecclesiastick affairs: therfor thee magistrates and councell ought not to medle with thee same any further then as they are members of thie congregation, and private men, unless they bee elders; or that magistrates and councells in burghes and tounes bie expressly excepted in these acts, which wee ar confident they will not alleadge. 2, Wheras they say they never quarrelled at the determination off thee Generall Assembly, wherby they hold not thee proper interests of congregations and presbyteries in provyding kirks, it was butt to well known and avowed, and hinted at in ther oun papers, that thie magistrats and councell of thee burgh of Aberdeen hawe allwayes medled with thee nomination and calls of ministers without any acknowledgement of the sessions priuiledge therin, which hes been thie stopp of former calls, as, for instanec, Mr. Jhon Patersone his call anno 1654, and Mr. William Raitt his call once and again, viz., anno 1655 and 1658; and we hope that this reverend Synode will bee no lesse tender off session priviledges and actes of Generall Assemblies then other presbyteries and synods elsquhair in this land. 3, Wheras they say they have been in use of this ever since that act 1649, as they instance in thie giveing calls to Mr. James Durhame, which they alleadge was never challenged by the reverend Synode off Glasgow, and in Mr. George Meldrums call, which wee did not challenge, nor look to the method used in the said call, it is answered, that the reverend Synode of Glasgow and Presbyterie ther caried ever so as wee did in Mr. Meldrums call, takeing most speciall notice of thee unanimous call off thee

session. and assent off the people; and looking upon acts of councell butt as cumulative, not takeing heed whether session or concells acts werr prior. And heer it is to be observed that thee commissioners off Aberdeen declares they have no regard to thee late act off the Generall Assemblie 1649, denying it to hawe the force off ane law, and not to bee observed or looked to; becaus (as they alleadge) it is not reported to, and approoven in, Parliament, though it bie undoubtedly knowen they werr impowered to make that act by thee Parliament: what this savors off, wee leave it to the Assemblie to judge off. As to thee second head of the commissioners off Aberdeen ther paper, wherin they undertake to proove that the said Mr. Jhon Paterson hes ane sufficient call from the session (so, in thee mean tyme, they adhere to ther oune power, denying thee power off the session, which, wee alleadge, this reverend Assemblie should take notice of,) alleadging that the pluralitie of elders did assent therto, it is ansered, 1, That it seems that thee commissioners off Aberdeen layed by deacons as ciphers from haweing any vote at all in session, which, wee trust, no church judicatorie will doe. And, for our selffs, wie was, and will bee, verie loath to make such a preparative, especiallie seing it is the commone practice of the wholle nation. 2, When the Generall Assemblie devolved the power off nomination off ministers by ther late act 1649 into thee hands off thee session, wee see no distinction made between elders and deacones, seing it was notour that deacons werr memberres of sessiones as well as elderrs; therfor wee see no reasone why they should be denyed a voyce. 3, When wee considderr that thee meanest member off the congregation hes ane assent or disassent in thee materr off thee nomination off ther minister in ther spheare, how much more ought thee deacons to hawe a vote in ther spheare, whose office in all ages has been in greatt esteem in thie Church, and allwayes hawe been thought members off thee church representative. 4, Wee did hint at some reasons in or former paper, why thee deacons ought to hawe this priviledge as well as elderrs; and iff thee Assemblie doubt off this materr, wee shal bie ready to hold out sufficient prooff for thee same, so that iff this reverend synod graunt that deacons hawe a voyce (as wee doubt not butt they will), then wee judge it cleer thie session hes given no call to Mr. Jhon Patersone, which was thee thing alleadged, beeing ten deacons dissenterrs, and butt three assenterrs. Yett, wheras they

undertake to proove that they hawe the pluralitie off thee elders off thee session to bee assenterrs to thee call off thee said Mr. Jhon, rickoning thee first sederunt to hawe consisted off eight elders, viz., Mr. Jhon Menzeis, Mr. Alexander Skeyne, Mr. Jhon Campbell, Charles Dunn, George Meldrum, Charles Robertsone, Thomas Melvill, and David Gregory, wheroff they alleadge fyve to hawe been assenterres, to uitt, Mr. Jhon Menzeis, George Meldrum, Charles Robertsone, Thomas Melvill, and David Gregorie, and three onely dissenterrs, viz., Mr. Alexander Skeyne, Mr. Jhon Campbell, and Charles Dunn, from thee said call off thee said Mr. Jhon Patersone, 1. Wherunto wee anser, according to thee best information given us by thee session off Aberden, that thee wholl business was caried on as followes, to uitt, that Mononday, December 13, beeing ane ordinarie session day, that many of thee session beeing at ane countrey mercat, thee session did conclude Thurisday, December 16, ane extraordinarie meetting for nominateing and calling off ministers, butt thee weather beeing so stormy, ther werr many off ther number keeped back, so that ther werr no more butt thee tuo ministers of thee place and eight elders, viz., Mr. Androw Cant and Mr. Jhon Menzeis, ministers, and Mr. Alexander Skeyne, Mr. Jhon Campbell, Charles Dunn, James Swann, Walter Melvill, who, with Mr. Androw Cant, did dissent, though it bee true thee said Mr. Androw Cant did remoove befor thee mater came to a voyce, yett befor he remooved hee did enterr his dissent, and wee think it no reasone to deny him his voyce; and wee think thee reverend Assemblie uil bee loath to deny him a voyce in this session. Thee last who assented werr, George Meldrum, Thomas Melvill, and Charles Robertsone, with Mr. Jhon Menzeis, minister; so ther ar sex dissenterrs and butt four assenterres. As for thee difference betuxt thee enumeration off elders given upp by thee session, and that which was alleadged by thee commissionerrs from thee Councell off Aberdeen, wee shall say onely this, viz., as to James Swann, wee hope ther is no reasone why his beeing clerk should depryve him off haweing any voyce as ane elder, hee beeing choysen ane elder befor he was choysen clerk, so (as is alleadged) hee bee ane stipendiarie, seeing it is thee constant practise, both off synods and presbyteries, to hawe one of ther number ther clerk, who retaynes his priviledge off voteing, though stipendiarie; as for thee question started by them concerning David Gregorie his beeing ane elder, and Walter Melvill ane deacon, wee werr informed off thee contrarie by ther

act of election given in to us by the session which wee thought a sufficient ground for us to judge upone, for which wee trust this reverend Assemblie uill not blame us; as for ther subscryving themselffs otherwayes then they ar designed in thee act of election, as is alleadged in thee calls off Mr. James Durhame and Mr. William Raitt, they might hawe subscryved themselffs ministers for ought wee know, for wee ar not holden to walk according to ther rules, butt according to thee act off election, to quhich wee referr this reverend synod for ther better information, yett for thee more full cleering off thee question in difference, ther beeing dyverss weeks interveening betuixt thee vote past in this first sederunt and thee drauing upp and closeing off thee act for giveing it to thee presbyterie, to uit, from December 16, 1658, to Januarie 31, 1659, thee act beeing publickly redd in session, thee most part off thee memberres formerly absent beeing present, viz., Walter Cochroune, William Gordoun, Jhon Ross, Robert Burnett, elders, Jhon Moor, Jhon Malie, and George Pyper, chosen deacons, beeing personallie requyred, did adhere to the act and disassent therin expressed, and gave ther expresse consent thertoo as iff they hade been present at the first sederunt, which was evidenced to us by ane paper under thee clerk's hand, and which votes wee thought ourselffes obleidged to avow, seeing they werr given in, *lite pendente*, befor thee mater was closed or thee act drawen upp, which act beeing drawne upp was acknowledged by both parties to bie *secundum rem gestam*. Thus wee hawe given this reverend judicatorie a full accompt of our proceedings, and wee shall not doubt but this Assemblie shall judge us to hawe walked orderly and legallie. Haweing thus given ane short accompt off the grounds of our procedur anent thee call of Mr. Jhon Patersone, wee shall humblie desyr to informe this reverend judicatorie that wee hawe been verie farr from doeing anie thing in this out off the least disrespect to Mr. Jhon Patersone, whom wee look upon as ane verie reverend man, and one of eminent partes worthy of all respect due to a minister off thee Gospell, nor yett out of any humor to please Mr. Androw Cant, as some ar sinistruously apt to judge, but meerly and sinceerly out of thee tender respect that wee ar bound in conscience to hawe (as wee judge) to thee just priviledges of thee church and due interests of kirk sessions, whertoo wee off this Presbyterie of Aberdeen thinks ourselffs thee more obleidged to bee carefull off that wee hawe perceaved this many yeers bygone, the magistrates and councell off

Aberdeen to bee so ready (as wee apprehend) to incroach upon thee priviledge off ther session. And wee trust this reverend Assembly will goe befor us and all other presbyteries within the province as a good exampell off tenderness and zeall therin, especiallie in such dangerous tymes. *Sic subscribitur*, Mr. Androw Strath, as moderator in this business; Mr. David Lyndesay, clerk.

Thie Assemblie, after a long hearing off all thee papers given in by both parties, and after much debate and reasoneing (all parties interested beeing remooved), thee synode takeing thee wholl materr off thee said appeall and call to ther most serious consideration (haweing thee glorie off God befor ther eyes, thee long vacancie off Aberden, and sade desolatione in respect theroff, the moderator haweing desyred all to speak ther mynd in this business, and none appearing with new reasons in opposition to thee call), did find and declare, lykeas heerby they doe declare thee said Mr. Jhon Paterson's call to bee one of thee ministers's off Aberden, full, formall, and orderly, according to thee lawes and constitution's of this nationall Church, as proceeding from thie session, councell, and communitie of thee said burgh. After which vote and sentence, all parties interested beeing called in, and thee samen beeing intimated to them, Mr. Androw Cant, in his oune name and such off thee Presbyterie off Aberdeen and others as would adhere to him, did protest agaynst thee same, and gave in his disassent and protestation.

Session 7th. Friday. *Ante Meridiem.* Apryll 22, 1659.

After prayer hade, the said day, compeered the commissionerss off Aberdeen above mentioned, and in respect that Mr. Androw Cant, and such off thee Presbytery off Aberdeen as adhere to him, hade protested agaynst thee call off the said Mr. Jhon Patersone, desyred that the Assemblie would appoynt some of ther number to concurre with such off the Presbyterie of Aberdeen as assented to thee said call, and with thee councell and community of thee said burgh to prosecute thee said Mr. John his transplantation from the church of Ellon to bee one of thee ministeris off Aberdeen. Which desyr thee Assemblie thought reasonable, and to that effect ordayned Mr. Alexander Ross at Monymusk, Mr. William Scrogie, Mr. Adam Barclay, younger, Mr. James Gordoun at Touch, Mr. Alexander Middletoun, or any tuo off them, to concurr for prosecuteing thee transplantation off thie said Mr. Jhon, in everie

thing which was incumbent to the Presbyterie off Aberdeen, or the dissenting partie of thee session of Aberden, to hawe done in thee said transplantation, if they hade not protested agaynst thee same, and in case the transplantation bee granted for setling thee said Mr. John one off the ministerrs off thee said burgh.

Thee said day, Mr. Alexander Dowglas, sometyme minister at Auchredy, presented ane humble supplication for opening his mouth to preach thee Gospell as ane expectant, and for a charitable supplie, in regard of his verie mean and poor condition, for the tyme. Thee Assemblie, takeing thee said supplication to ther consideration, did graunt thee last part off it, and ricommended it to be presentlie gone about; butt was pleased to lay over and continue thee other part off it to ther next meetting in July nixt.

Thee said day, Mr. William Dowglas, late moderator off thee Synod, produced a letter from thee Councell of Scotland, with a complaynt given in to thee said Councell by Mr. John Stewart, complayning upon thee former Synode for deposing him from thie ministrie, and appealling to them in thee said materr, in which letter the Councell desyred to bee satisfied anent thee reasones off thee said sentence pronounced agaynst thee said Mr. John. Thee Assemblie haweing heard thee forsaid letter off thie Councell, and complaynt and appeall off the said Mr. Jhon thertoo, and takeing thee same to ther most serious consideration, judged it ther duety (uithout prejudice to thee libertie and authoritie off this Church, butt reserving the same,) to give thee Councell information in ther wholle procedur in that business: And for this effect nominated, and bee thir presentes nominates Mr. Jhon Patersone, Mr. William Jaffray, younger, to appear befor thee said Councell of Scotland, for informing ther Lordships anent thee grounds and reasones off ther deposing of Mr. Jhon Stewart, with power to thee saids commissionerrs to represent to thee Councell thee grouth and increase off poperie, and insolencie of papists, in many partes uithin this province, and that severall excommunicat papists ar employed in publick offices, such as notories, messengeres off arms, and collectors of excyse, that thee Councell might take some course for remedie theroff; and thee saids commissioners to report ther diligence at the next ensueing Assemblie.

Session 9th. July 26, 1659. *Post Meridiem.*

Thee said day, William Forbes of Leslie presented a supplication from John Kennedyes, elder and younger, sometymes lairds off Kermucks, wheroff thee tenor followes :—Wheras your petitionerrs hes for a long tyme, to thee greatt greiff of our hearts, lyen under thee fearfull sentence of excommunication, and as wee ar heartilie weighted and pressed downe uith thee sense of this our sadd condition (beeing depryved of thee comfort of thee ordinances and comfortable company of thee saincts in thie visible Church), so are wee no lesse sensible of thee dolefull and deplorable occasion theroff; therfor, our humble desyr and request is, that your reverend uisdoms uill take thee sadd condition of your petitioners to your charitable and christiane consideration, and that yee would take such course for our satisfaction and absolution as your uisdoms shall think convenient, which wee shall most humblie and uillinglie undergoe, provyding it bee appoynted at such tyme and place wher your petitioners may in saftie and uithout danger appear, that therupon wee beeing relaxed from that dreadfull sentence may bee receaved into thee bosome of our mother Church, and so bee admitted unto thee comfortable fruition of thee ordinances and fellowshipp of our fellow christians, from thee which wee have beene so long sequestrat. Thee Assemblie takeing thee forsaid supplication to ther serious consideration, and haweing heard severall grave brethren declare upon good grounds that thee above specified supplicants werr much weighted uith thee sense of ther greatt sinne of manslaughter and of thee sentence pronunced agaynst them for thee same, and that as they werr certanely informed they did behawe themselffs humblie under that sentence, and lykewayes beeing convinced that uithout greatt hazard thee above mentioned supplicants durst not appear in any place uithin thee province of Aberden to give evidence of ther repentance, did conclude it necessarie earnestlie to recommend thee forsaids supplicants to thee reverend brethren of thee Presbyterie of Kaitness, wher thee forsaids supplicants for thee tyme (as wee ar certanely informed) hawe ther residence, to take speciall notice of thee conversation and deportment of thee forsaids supplicants, and strictlie to examine whether they bee rightly sensible of ther guiltiness and weighted uith that sentence, and accordingly to proceed to thee relaxing of them from that heavie sentence of excommunication, according to thee acts and constitutions of this Kirk.

Session 2d. *Post Meridiem.* Aprill 17, 1660.

Anent Lord Charles Gordoun, thee Assemblie beeing most uilling to reduce him from poperie, renewes ther former ordinance, and ordaynes Mr. Jhon Patersone, Mr. William Dowglass, Mr. Jhon Menzeis, Mr. James Chalmer, Mr. William Scrogie, Mr. James Gordoun at Drumblaitt, Mr. James Gordoun at Touch, and such of thee Presbyterie of Kincardyne as they shall condescend upon to meett uith the said Lord Charles and conferr uith him, and that Mr. Thomas Ross shall give adverteisment to thee said Lord Charles to meett uith thee forsaid brethren thie next week, for thee effect forsaid.

Thee said day, Lord Charles Gordoun haweing wreitten a letter to thee ministers and professors of Aberdeen (which letter was read in thee face of thee synode, and ordayned to bee kept *in retentis*) earnestlie intreating that thee Provinciall Assemblie would bee pleased to allow to him ane considerable tyme for conference uith the ministeres and professors of divinity of Aberdeen, and sueh other brethren as thie synode should be pleased to adjoyne to them, in respect that hee hade already enterred in conference uith thee saids ministeres and professors in Aberdeen, and hoped that they might bee instrumentall to satisfie his scruples and doubtes in thee poynts of relligion as others, uithall promeising that upon conviction and force of argument, reasone, and evidence of truth, holden out, to forsake poperie and to imbrace the Protestant relligion. Thee Assemblie takeing thee forsaid desyr to ther most serious consideration (beeing verie desyrous to use all lawfull means, uithout sinfull forbearanee, to reclayme thee said Lord Charles from thee error of his way), and takeing to heart how much advantage it might bring to thee Protestant relligion in these partes, iff thee said Lord Charles should bee gayned to thee trueth, they did condescend to his desyr, and did allow him and appoynt that hee should keep as frequent conference as hee could possiblie uith thee brethren above expressed, and such of thee Presbyterie of Kincardyne as thee said presbyterie should adjoyne to them; and in case thee said Lord Charles should neglect or slight dyetts of conference, and remaine still in thee way of poperie till thee next synod, uithout giveing any satisfaction to thee brethren appoynted for conference, that in that case hee should bee processed for poperie, according to thee acts of this nationall Church.

Session 4th. Wesdensday, Apryll 18, 1660. *Post Meridiem.*

After prayer hade, thee Assemblie finding that thee vacant church of Ellon is not yett planted uith a minister, notuithstanding of a call given (as they ar informed) to Mr. Jhon Patersone, regent in St. Leonards Colledge in St. Andrewes, in respect of thee opposition of Jhon Gordoun of Fechill, Jhon Donaldsone of Hilltoune, and Jhon More of Kermucks, and beeing most desyrous that thee said kirk might bee planted uith all convenient diligence and possible satisfaction to thee saids opposers, did nominate and appoynt thee brethren after following, viz., Mr. Jhon Menzeis, Mr. James Chalmer, Mr. William Jaffray, younger, Mr. Androw Skeyn, Mr. George Burnett, Mr. James Gordoun at Drumblaitt, Mr. Androw Strachan, Messrs. Alexander and William Scrogies, Mr. Robert Keith, Mr. Alexander Cant, to meett uith thee Presbyterie of Ellon to conferr theranent, and to report at thee next session of thee synode; agaynst which appoyntment thee Presbyterie of Ellon did enter ther dis-assent and protestation, in respect thee saids opposers hade under ther hands passed from ther appeall given in to thee said presbyterie, and that thee said presbyterie hade made no reference of thee said materr to thee said synode.

The said day, appeared James Ogilvy of Ragall, and represented to this venerable Assembly, that wheras hee and his ancestors hawe for many yeers bygone been in peaceable possession of a roome within thee church of Ennerboynne, and a desk erected and builded in thee said roome for himselff, wyff, and children, ther accommodation in hearing Gods Word in thee said church; as also, thee said James Ogilvy presented ane act subscryved under thee hand of Mr. Jhone Watsone, clerk to thee Presbyterie of Fordyce, bearing, that ane reverend father in God, Patrick, Bishope of Aberdeen, assisted uith thee wholl Presbyterie of Cullen, and Mr. William Guild, Mr. Thomas Mitchell, Mr. James Melvill, Mr. Jhon Reidfuird of thee Presbyterie of Turreff, and Mr. Jhon Gellie of thee Presbyterie of Gareoch, hade decerned and ordayned Androw Ogilvie, father to thee said James, to bee accommodat with a desk and seat in thee said kirk, under thee Laird of Boyne his loft, on thee south syde of thee said kirk, betuixt thee Laird of Puldevy his desk and thee new desk builded bee James Hackett; nevertheless, Walter Ogilvy, Laird of Boyne, hath latlie demolished thee said desk, and dispos-

sessed thee said James Ogilvy of thee said roome and accommodation. Thee Assemblie takeing thee said materr to ther serious consideration, and finding thee said James Ogilvie peaceablie sett, and farr from enterring into debate, ordaynes thee Presbyterie of Fordyce, with thee assessors following, viz., Mr. William Jaffrays, elder and younger, Mr. Alexander Midltoun, Lairds of Auchmedden and Birkenbogg, and earnestlie desyres Mr. Jhon Reidfuird, uithin thee province of Murray, as assessors, to meett at thee said kirk of Ennerboynie, and to use all possible meanes for setling and accommodateing thee said James in his roome and accommodation uithin thee said kirk, they haweing found that thee act of thee bishope, assessors, and Presbyterie of Fordyce, was verie reasonable and just; and iff thee said Walter Ogilvy of Boyne shall not acquiesce in ther determination in thee said mater, that thie business bee represented to thee civill [court] for redress and reparation.

Session 6th. Thurisday, 19 Apryll, 1660. *Post Meridiem.*

After prayer hade, thee Assemblie finding, by report of thee Presbyterie Book of Awfuird, that thee church of Ennernoughtie was not yett planted uith a minister, and that ther hade been some imprudent and inconsiderat wayes gone about for thee planting theroff, which thee Assemblie could not sustayne, in respect that thee elders of thee said congregation and some heretors theroff hade devolved thee power of calling a minister ther to thee hands of thee Erle of Marr, which was in effect to make him patron of thee said church, thee Assemblie ordaynes that thee elders of thee said congregation shall, uith all convenient diligence, name a minister to thee said church, and to preserve ther owne liberty of nomination, as iff ther hade never been done any thing theranent, and requyres thee Presbyterie of Awfuird to putt thee said congregation to ther duety for planting thee said church uith all convenient diligence; and in case of thee parishioners' deficiencie and neglect heerin, that thee presbyterie act therin, as they uill bee anserable; and in thee mean tyme, thee Assemblie ordaynes thee Presbyterie of Awfuird to use ther best endeavors to bring thee Erle of Marr to ane accommodation uith thee remnant of thee congregation for planting thee said church.

Session 7th. Friday, Apryll 20, 1660. *Ante Meridiem.*

After prayer hade, thee said day, compeered Alexander Irvine of

Drumm, and earnestlie supplicated thee synod that they would bee pleased to interpose ther authoritie and advyse to thee Presbyterie of Aberdeen to forbear to pronunce ther sentence of excommunication agaynst him for poperie, and that hee may have some tyme allowed him for further conference toward his satisfaction in any doubt or scruples hee hath anent relligion, especiallie since thee Presbyterie of Aberden hade given to him thee Confession of Faith of thee Church of Scotland to be read and considerred by him, uith a promeiss of ther best endeavors to satisfie him in any thing hee should question theranent, and that hee hade enterred upon thee search into thee said Confession of Faith for thee satisfieing of his oune conscience, but thorow the multiplicitie and necessitie of his effairs hade not so much tyme as to consider theroff deliberately and posedlie, as werr pertinent for a materr of so greatt consequence, that what hee shal bee mooved to doe may bee upon cleer light and conviction; and uithall promeising in thee face of thee synod, that dureing thee tyme of thee conference to bee allowed to him, hee should not consult uith nor conferr uith any Jesuit preist, or excommunicate persone in poynt of relligion, least therby it might bee thought that hee werr hardning and fortificing himself agaynst any cleer light which might bee borne in upon him for regayning him to thee Protestant relligion. Thee Assemblie takeing his desyr to ther serious consideration, and beeing verie desyrous by all lawfull means to gayne thee said Alexander Irving of Drumm to thee profession of thee trueth, did ordayne thee Presbyterie of Aberdeen to entertaine frequent conferences uith thee said Laird of Drumm till thee next synod, to bee held in October next, and that till that tyme thee sentence of excommunication shall not be pronunced agaynst thee said Laird Drum; and ordaynes thee said Laird Drumm, beeing personallie present, to come to Aberden frequentlie, for entertayning conference with the said presbyterie, or any deputed by them for that effect, quhairunto thee said Laird Drumm condescended.

The Diocesiane Synod of Aberdene, holden uithin the Colledge Kirk of Old Aberdene, and begun upon the 21st of October, Jaj vi^{c} thrie scoir twa yeeris, be ane right Reverend Father in God, Dauid, be the mercie of God Lord Bishope of Aberdene.

Session 1st. Tuysday, 21st October, 1662. *Ante Meridiem.*

The whilk day, after sermone had be the said lorde bishope in the old churche of Sanct Machar, and incalling of the name of God, in presence of the synod, the roll of the whole ministeris names uithin the diocie wes called, and the absentis were, Mr. James Douglas, Mr. Jhone Mercer, Mr. Alexander Ferreis, Mr. Williame Davidsone, Mr. Thomas Forbes, Mr. Androw Kerr, Mr. James Chalmer, Mr. Johne Watsone, Mr. Williame Stevinsone, elder; some whereof were excused by seeknes and old age.

Bretherane assessors for the privie conference ar as followis:—

Mr. Williame Douglass, professor of divinitie.
Mr. Alexander Midletoune.
Mr. Johne Menzies.
Mr. George Burnet.
Mr. Androw Skene.
Mr. Robert Reid.
Mr. George Gardyne.
Mr. Adame Barclay.
Mr. James Gordoune.
Mr. Alexander Seatone.
Mr. Williame Scroggie.
Mr. Williame Chalmer.
Mr. Williame Stevinsone.
Mr. Williame Jaffray, elder.
Mr. Williame Jaffray, younger.
Mr. Williame Gray.
Mr. James Gordone, parsone of Kinkell.
Mr. Arthure Ros.
Mr. James Mwre.
Mr. Johne Patersone.
Mr. Williame Keyth.
Mr. Andrew Logie.
Mr. Williame Gordone.
Mr. Alexander Ros.

Session 2d. Tuysday, 21st October. *Post Meridiem.*

The said day, it is enacted be the lord bischope, with consent of the bretherine of the synod, that [there] shal be readers of the scripturis in evrie congregatione; and the readeris shall begin with a sett forme of prayer, especiallie with the Lords prayer. Therefter, they ar to read some psalmes, with some chapteris of the Old Testament; therafter, they ar to rehearse the apostolick creed publicklie, and in rehearsing of it to

stand up, afterwardis that they read some chapteris of the New Testament according to the appoyntment of the respective ministers; and, last of all, they ar to rehearse the Ten Commandementis publicklie; as also, it is ordained, that such as in tyme of reading the scripturis shall be found walking without in the churche yaird, or withdrawing themselffis, salbe censured. And in caice there be not a reader, in that caice the minister shall read himselff.

The said day, it is inacted and ordered be the lord bishope, with consent of the bretherine of the synod, that morning and evening prayeris be said, especiallie in the places after following, viz.:—In the townes of Old and New Aberdene, in Banff, in Old Deer, in Peterhead, in Fraserburghe, in Kyntoir, in Inverurie, in Kyncardyn O'Neill, in Turreff, in Cullen, in Ellon, in Tarves, in Fordyce, in Monymusk, in Upper Banchorie; and that the liturgie in the old psalme book be used and practized.

Session 3d. Wednesday, 22d October, 1662. *Ante Meridiem.*

The said day, after prayer, it is appoynted be the bischop, with consent of the bretherine of the synode, that the readeris of the scripturis on the Lords day shall not pronunce the blessing over the people, bot leave that to be done be the minister; but the reader on the week dayis may pronunce the blessing; as also they may pronunce it on the Lordis day, iff the minister salbe necesserlie absent; and that, thoche in prayer the reader use only the Lords prayer, he shall not be censured.

The said day, it is ordaned be the bischope, with consent of the bretherine of the synod, that evrie reader in congregationes shall be recognyzed by the minister to appear befoir the bischope, and be authorized by him; and that his abilitie and qualificatione for the exercise of reiding be looked upoun and noticed at the nixt synod or abefoir.

The said day, it is ordered by the bishope, with consent of the synode, that a day of thanksgiving be observed in all the congregationes of this diocie upoun the fyft day of November nixt to come, for that great and merciefull delyverance of King James the Sext, of blessed memorie, and his royal familie, hatched and contryved against them, and by the great mercie of God discovered.

Session 4th. Wednesday, 22d October, 1662. *Post Meridiem.*

The said day (after prayer), it is inacted by the byshope, with consent of the bretherine of the synode, that privat baptisme and privat communione be not denyed by any minister uithin this diocie at what tyme they shalbe earnestlie desyred to give the samyne, and that tuo or thrie shalbe delt uithall and exhorted to pertak of the Holy Sacrament of the Lordis Supper uith the persone desyring the same; and iff that suche meitingis for the end foirsaid in caices necessarie shall be interrupted by the plague of pestilence, then and in that caice the minister is free to give it to the disseased persone, upoun ther longing desyre and earnest demand to haue it.

The said day, it is appoynted by the bishope, uith consent of the bretherine of the synode, that the directorie practized by the late pretendit Generall Assemblies be laid assyde, and not maid use of in tymes coming.

The said day, it is ordained by the bishope, with consent of the bretherine of the synode, that all the ministeris within this province shall tak particular notice of all papistis within ther parochines, and send in ther names to the bischope; also suche as ar excommunicat alreddie, as these who ar under proces, and laitlie fallin away frome hearing the word and partaking of the sacramentis; and that all these who shall converss with excommunicat persones, or shall recept seminarie priestis and jesuitis, upoun the notorietie therof, the respectiue ministeris shall send in ther names to the bischope, that, by his lordship, ther names may be sent to the privie councell.

The said day, it is inacted by the byshope and bretherine of the synode, that evrie minister within this diocie shall mak choise of so many within his parochin, of the maist qualified, able, and understanding persones, to have ane inspectione and oversight of the people, and observe ther wayis of walking; and that they shall delate to the minister scandalous walkers, that they may be censured, according to the approvin actis of the churche; and that they concurr with, and assist the minister, to the effect forsaid.

The said day, it is ordered and appoynted by the bischope, with con-

sent of the bretherine of the synode, that the bretherine of the seuerall exercises, in ther respective boundis, being mett for materis of discipline, tuecheing referris that shall come frome seuerall sessiones, shall not proceed to sentence any with excommunicatione, unless it be by order frome the bishope, after his lordship hes visited and approvin the process. Lykas, at ther meiting they ar impowered to try young men, in order to the preacheing of the gospell, and, haueing found theme qualified, to recommend theme to the bishope, that they may be approvin and licenced by him; bot they ar not to licence them to preach until they be approvin by the bishope. Further moir, they ar not to visite nor censure any minister with suspensione or depositione, without speciall warrand from the bishope.

The said day, it is inacted and ordered by the bishope, with consent of the synode, that the meitingis of the bretherine of the seuerall exerceises shall be at the same places wher they did meett at exerceises in tyme of former bishopes; and that the exerceise of Aberdene shall meit, for the effect foirsaid, in the colledge kirk of the universitie of Old Aberdeen.

Anent the promise and professione of canonicall obedience, wheroff the tennor followis: I, A. B., doe professe and promeise that I will render to my ordinarie, David, by the mercie of God, Lord Bishope of Aberdene, and his successors, due canonicall obedience, and to them to whome the government and charge is committed over me, following with a glad mynd and will ther godly admonitiones: The bishope, with consent of the bretherane of the synod, ordaines that evrie minister shall declare himselff anent the forsaid promeise and professione of canonicall obedience, and subscryve the same.

The said day, it is appoynted by the bishope, with consent of the synode, that anent the new fabrick of the universitie of Aberdene, begun long agoe, bot not finished as yitt, that such of the ministeris of this diocie as abefore promeised to contribute to the said work, and, as yitt haue not payed, shall pay according to their promeises; and suche as haue not contributed, nor promeised to contribute, for that effect, shall promeise and pay accordinglie, betuixt and the nixt synode.

Session 5th. Thursday, 23d October, 1662. *Ante Meridiem.*

The said day (after prayer), the lord bishape and bretherine of the synode, being informed that in the toune of Aberdene frequent messes haue beene observed, it is recommendit to the magistratis therof, and ordained that they goe about the vigorous executione of the late act off Parliament against all privat conventicles.

The said day, a petitione being given in to the bishope and bretherine of the synode, desyring that all the ministeris uithin this diocie should bring in uith them at evrie synode the list of the dead uithin ther parochines, and that uidowis should not be maried until the testamentis of ther former husbands be confirmed, the bishope, uith consent of the bretherine of the synode, grantis the foirsaid petitione, uith this speciall provisione, that the testamentis of ministeris and ther relictis shalbe confirmed gratis.

The said day, ane double of ane act of Parliament in favors of Collonell Alexander Ramsay, anent his losses in anno 1648, being presented and redd, the bishope, with consent of the bretherine of the synod, taking the said mater to serious consideratione, doe earnestlie recommend to the seuerall brotherin within the diocie to deall effectuallie with ther parochineris for a contributione, to the effect aboue writtin.

The said day, it is ordered, with consent of the bretherine of the synode, that ministeris in ther publick prayeris shall pray for the king, after this forme following: Blesse thy servand, oure soveraigne, Charles the Secund, by the special grace of God, King of Great Brittaine, France, and Irland, Defender of the Faith, over all persones, and in all causes, alsweill civile as ecclesiasticall, nixt and immediatelie under Thee and thy Christ, supreame governor within his majesties dominiones. Lykas, it is ordered that ministeris in ther publict prayeris shall blese the Lord for setlement of the Churche, and government therof, and governors therin, arche bishopis and bishopes by name, and our ordinarie, Dauid, by the mercie of God, Lord Bishope of Aberdene; and that they shall not faill heirin, under the paine of censure.

The said day, it is inacted by the bishope, with consent of the bre-

therine of the synode, that no chaplane shall haue exercise in a familie, no pedagogue shall attend a youth, no young man shall teache a schoole, no young man shall preache the gospell in burghe or land, without licence and authoritie from the bishope.

The said day, it is inacted by the bishope, with consent of the bretherine of the synode, that, iff deposed ministeris, or any of quhat qualitie or condition soever, shall goe about to seduce people, and to speak against the setlement of the present government, ather in churche or state, shalbe procest by the respective exerceises of the bretherine in whose precinctis they ar.

The said day, it is recommended by the bishope, with consent of the bretherine of the synod, that, in tyme of publict prayeris, people shall pray ather standing or kneiling, as the most reverend gesture in prayer: and that the seuerall ministeris of the diocie shall recomend the same to ther people, and shalbe exemplarie therin themselffis; and that, at the singing of the doxologie, the people shall stand up and not sit.

The said day, it is ordered by the bishope, with consent of the bretherin of the synod, that the habite of ministeris be suche as beseemeth calmnes, decencie, gravitie, and sutablenes to ther calling, and particularlie in haveing a cassik coat.

Session 7th. Fredday, 24th Oct. 1662. *Ante Meridiem.*

The said day, the promeises and professione of canonicall obedience, being, according to the late act of the synode, signed and subscryved be the whole memberis of the synode, (some few of the exercise of Aberdene only excepted) who did humblie desyre some few days to be more ryplie advysed, which was indulged to them, the bishope and synod, after muche forbearance and a great deall of paines taken upon Mr. John Menzeis for conformitie, did requyre him to signe the foirsaid promeise and professione; or, iff he wes not yett fullie advysed in that mater, that he might haue a further tyme allowed him for cleering himselff of any scruple he had in order therunto. The said Mr. Johne did, instead of signing the foirsaid promeise of canonicall obedience, or of creaving further tyme for his awin cleering, give in a paper, wherin

he did nowayis satisfie the bishope nor bretherine of the synode: because that it conteaneth nothing of a promeise of further submissione and obedience then what he might haue promeised to any intruding or usurping power over Gods Holy Churche, which being observed by the synod, and that the said Mr. Johne hade all along, in the votes relating to privat baptism and private communione, and of praying for the King, with these titillis and priviledges conceaved in the oath of alledgeance and supreamacie, and of praying for the reverend fatheris of the Churche, the arche bishopis and bishopis, by name, he did judge these things meit to be forborne by the bretherine of this synode, they being to be imposed (in his judgment) by a more publict authoritie. And least the practise of these thingis in this synode should savor of shisme, the bishope declared that he had oft and dyvers tymes requyred the said Mr. John Menzies to declare and subscryve his submissione to and owning of the present government of the Churche by archbishopis and bishopis, whiche he, as a professor of theologie, wes obleidged unto by the [ ] act of the last sessione of this current parliament; yett, notwithstanding, he could never be induced to obedience of the said act. The bishope and synod, taking all the premisses to grave and serious consideratione, did, by unanimous vote, suspend the said Mr. Johne from the exercise of the holy ministrie, or any pairt therof, as also of his professione of divinitie, untill the first Jannuir nixt to come, 1663. And iff, betuixt and the forsaid day, he doe not signe the promeise and professione of canonicall obedience conteaned in the act of this present synod for signing therof, then, and in that case, he is heerby *ipso facto simpliciter* deposed, at the foirsaid day declared to be deposed. Whiche sentence being intimat to him be the bishope in face of the synode, the said Mr. Johne Menzeis did protest and appeall to the nixt judge competent for recognitione. Lykas the commissioners of the toune of Aberdene did heerupoun protest that the foirsaid deed of the synod might be nothing prejudiciall to ther right of patronage to the professione of divinitie in the Marishall Colledge in New Aberdeen.

The said day, the bishope and synode finding that Mr. George Meldrum, minister in New Aberdene, wold, by no meanes nor essayes used upon him for conformitie, give any further satisfactione then what wes conteaned in the above specified paper, given in be Mr. Johne Menzies

in his awin and the said Mr. George ther names: notwithstanding that the said Mr. George had entered the holy ministrie sine the year of God 1649, and therfoir by the [ ] act of the last sessione of this current parliament, was obleidged to promeise and profes canonicall obedience: the bishope, with consent of the whole synod, did adjudge the said Mr. George Meldrum to the same censure inflicted upoun Mr. John Menzies, both being involved in the same guylt, viz.: They did, and heirby doe, suspend the said Mr. George from the exercise of the holy ministrie, and evrie part therof, till the first of Januar nixt, 1663; and iff, betuixt and the forsaid, he doe not signe the promeise and professione of canonicall obedience, conteanit in the ffourteint act of this present synod, *sessione quarta*, for signing therof, then, and in that caice, he is *ipso facto* deposed, and at the foirsaid to be declared deposed.

The said day, Mr. Alexander Seattoune, minister at Banff, haueing holden furth befoir the bishope and bretherine of the synod that his patrone wes not in capacitie to give him ane presentatione, as also Mr. Williame Burnet, minister at Insh, holding furth that the patrone of his churche is not certainlie knowin to him, the bishope and bretherine of this synode, taking the same to ther consideratione, orderis that the foirnamed bretherine shalbe acknowledged ministeris in these places wher the presentlie ar; and all uther ministeris who are in such ane cais, to be acknowledged ministeris in the places wher they are for the present, till the contrairie shall appear.

Session 3d. Wednisday, 28th October, 1663. *Ante Meridiem.*

The said day, it is inacted by the bishope, uith consent of the bretherine of the synode, that evrie minister shall labor to perswade the people to uniformitie and canonicall obedience; and in caice they shall not tak paines heirin, they shal be represented to the lord bishope, that he may proceed against them.

The said day, it is inacted by the bishope, uith consent of the bretherine of the synod, that all ministeris as aither haue or not subscryved the declaratione for canonicall obedience, and who shal be found seduceing ather his awin people, or people under the charge of other ministeris, by laboring to infuse in them suche principles as are contrare to the due

obedience of the canones of the synode, especiallie to the canon relating to the gesture in publict worshipe, shal be proceeded against as ane contemner of the canones of the synode.

The said day, it is recomendit be the bishope to haill bretherine of the synod, that they buy from Johne Forbes, stationer, the queries, replyes, and duplyes of the doctoris of Aberdene and professors of divinitie ther at the pryce of ffyfteene shillingis Scottis money the peece; as also, it is thocht fitt that the declinator of the bishopes at the pretended Assemblie in Glasgow be printed and bought by the haill bretherine of the synode

Session 5th. Thurisday, 29th October, 1663. *Ante Meridiem.*

The said day, it is ordained by the bishope, uith consent of the bretherine of the synod, that all papistis recusantis who haue borne and baptized within oure churche after meanis used for reclaiming them, and they still continue obstinat and contumaceous, be processed, according to the ordor of the Churche.

The said day, it is ordained by the bishope, uith consent of the synode, that in respect some gentlemen and persones of qualitie haue sent ther childrene beyound seais to be educated in popishe universities, as also that litle care is takin at home for training up of suche childrene in the knawledge of the truthe by ther parentis, tutors, and overseeris, that a letter be directed to his Grace the Lord Bishope of Sanct Andrewis, to the end his grace wold be pleased to interpose himselffe uith his majestie, that ane effectuall restraint may be put on this spreading leprosie of poperie, and that a solide way may be taken for training up the foirsaid childrene in the Protestant religion, especiallie the young noble lord the Marques of Huntlie, and that the childrene alreddie sent abroad be speedilie reduced.

The said day, it is ordained by the bishope, uith consent of the bretherine of the synode, that all Quakeris and uther sectaries and manteaneris of erroneous principles and deserteris of ordinances (after meanis used to reclaim them), shalbe proceeded against with the censuris of the Churche.

The said day, it is inacted by the bishope, uith consent of the bretherine of the synod, that evrie minister goe exactlie about familie exercise in haueing morning and evning prayeris, together uith reading some parcellis of Holy Scripture, and that they shall stirr up and exhort the people to goe about suche dueteis; and evrie Lordis day they shall catecheise ther families, and that at the visitatione of families uithin ther parochines, they shall punctuallie and exactly inquyre whither or not familie worshipe hath beene practized amongst theme; and iff thay shall find that in some families these dueties haue not beene performed, that they be exhorted and requyred to goe about the performance of the same.

The said day, it is inacted and ordained by the lord bishope, with consent of the bretherine of the synod, that the Lords day be exactly keeped, and that all attend the hearing and reading of the word before sermone; and that none depairt frome the church befoir the pronunceing of the blessing; and that visitors be appoynted by the minister, throw the severall pairtis of the parochin, for visiting tavernis and ailhouses, that ther be no excessive drinking, nor that the people continew tipling in these places; bot that, with all diligence, they repair to ther awin homes for going about ther severall familie dueties, sutable to the holynes of the day; and that ther be no bargaining, buying, selling, feeing of servands, or any uther secular effearis gone about one the Lordis day.

The said day, it is ordained by the bishope, with consent of the bretherine of the synod, that these be the pryces paiable to the bishopis clerk, viz.: for edict and collation, fyve shillingis sterline; certificat for ordinatione, fyve shillingis sterline; and registratione of ane presentatione, fyve shillingis sterline; licences, halff ane croune; for ediet and preceptis, tua shillingis sterline.

The said day, it is ordained by the bishope, with consent of the bretherine of the synod, that the moderator of the exercise of Fordyce, with tuo of the bretherine, and the moderator of the exercise of Alfurd, with one of the bretherine of that exercise, shall perambulat the landis of Strathdoveraine; and to represent the commodiousnes of disjoyning the saids lands from the parochin of Morthlick, and joyning them to

the parochin of Cabrache, to the bishope; and that the dyet for the said perambulatione shalbe last Tuysday off Marche nixt.

The said day, it is inacted by the bishope, with consent of the bretherine of the synod, that notice be taken of suche as travell on the Lords day, and the minister in whose parochines he leive be acquanted theruith, and censure them according to the quality of the offence.

The said day, it being represented that ther is ane grosse abuiss committed by guyseris, especiallie at Yooletyme, and theirby it is ordained by the bishope, with consent of the bretherine of the synode. that evrie minister, in his awin parochin, tak notice of them; and, with advyse of the bretherine of the exercise, inflict suche censure on them as the qualitie of the offence shall deserue.

Session 6th. 29th October, 1663. *Post Meridiem.*

Wheras ther wes a reference maid be the exercise [of] Alfurd, to the bishope and bretherine of this synod, anent Janet Forbes and Mariorie Reid, charmeris, it is ordered by the bishope, with consent of the bretherine of the synode, that the saidis persones, and all otheris guyltie of suche crymes, shall satisfie in sackcloath and barefooted, untill the scandall be removed.

The said day, it is ordained be the bishope, with consent of the bretherine of the synode, that the bretherine of the exercise of Deir shall labor to suplie the vaikancies in the Presbetrie of Deir, viz., Peterhead, Fraserburghe, Aberdoure, Pitsligo; and that they shall not imploy any persone or persones presented by my Lord of Pitsligo or Lairds of Phillorth to tuo of the saidis kirkis, viz., Aberdoure and Pitsligo, untill the bishope be acquanted therwith.

Session 7th. Fredday, 30th October, 1663. *Ante Meridiem.*

The said day, it is ordained be the bishope, uith consent of the bretherine of the synode, that suche as haue not subscryved the declaratione for canonicall obedience, viz., uithin the exercise of Aberdene, Mr. Johne Mercer, minister at Kynellar, Mr. Alexander Leask, minister at Marieculter, Mr. Williame Cheyne, minister at Dyce, Mr. Thomas Ros, mini-

ster at Aboyne, uithin the exercise of Kincardyne, shalbe presentlie requyred to subscryve the declaratione, haueing haid formerly sufficient tyme for informatione and cleering any doubtis; wherupone they being called, compeared only the said Williame Cheyne and Mr. Thomas Ros, and desyred a litle more tyme, whilk being indulged to them, and a quarter of a year being allowed to them for their further informatione, it is inacted, that the said tyme being expyred after three severall admonitiones given to them by the moderators of ther severall exercises, they salbe declared contumacious, and ther names sent to the bishope; and the lyke indulgence and tyme is granted to the absentis.

The said day, it is ordained by the bishope, uith consent of the bretherine of the synode, that the moderators of the seuerall exercises inquyre *de novo* of all ther bretherine what obedience is given to all the canones of the former synod, and that they deall effectuallie uith the people for conformitie to suche actis as relatis to them, and that they mak report of ther diligence to the severall respective moderators.

The said day, it is ordained by the bishope, uith consent of the bretherine of the synode, that no young men shalbe recommended be the moderators of ther severall exercises to the bishope for licence to preache, bot suche as, among other qualifications, haue subscryved the declaratione ffor canonicall obedience; and suche as haue not given obedience to the actis of the former synod, so farr as they ar concerned, shalbe requyred be the severall moderators uith all conveniencie to subscryve the foirsaid declaratione, and to give obedience as said is; and iff uithin a moneth after they ar requyred and conferred uith by the moderators, or any other who shalbe deputed for that effect, that report be maid to the bishope, that he may exercise his authoritie in licenceing them, as he shall think fitt.

The said day, it is ordained be the bishope, uith consent of the bretherine of the synod, that evrie minister shall haue care that none preach in ther pulpitis, bot suche as are licenced, approven, and allowed by the bishope; and iff any shalbe imployed to preache in any place uithin this diocie uithout consent of the minister in the place, then and in that cace

the ministeris shall enter ther protestatione against it, whilk protestatione under instrument shalbe insert in the exercise buikis.

The said day, the bishope and synod taking to consideration how necessar and laudable it is, that ministeris, maisteris of schoolles and universities, and studentis in divinitie be grave in ther apperrall beseeming ther degrees, and absteane frome light and all new fangled garmentis in cullor, fashione nawayis beseeming the gravitie of ther persones or places, and in particular that they haue not powdered or long hair, varietie or multitude of ribbenis, vanietie in ther livingis; and that the moderators of the severall exercises tak notice of the foirsaid exorbetancies, and mak report to the nixt synod.

The said day, it is ordained by the bishope, uith consent of the bretherine of the synod, that iff any deposed minister speak against the present goverument, or exercise any part of the ministeriall funetione, espeeiallie by lecturing or cateeheising in families, wherby they may corrupt the people by dangerous prineiples, and weaken the handis of the present incumbentis, after sufficient tryall therof, report shalbe maid to the bishope, and they sumoned to appeare before him.

The said day, it is ordained be the bishope, uith consent of the bretherine of the synode, that ilk respective moderator of the severall exercises be present uith the clerk for vriting the scrollis and minutis of this present synod.

The Diocesiane Assemblie of the Synode of Aberdene, holdin uithin the Colledge Kirk of Old Aberdene, be ane right reverend Father in God, Patrick, be the mercie of God, Lord Bishope of Aberdene, and begun upoun the aughtene day of October, the year of God Jai vi^{c} thrie score four yearis.

Session 1st. Tuysday, 18th October, 1664. *Ante Meridiem.*

The said day, after sermone had be the said lord bishope in the old churche of St. Machar, and incalling of the name of God in presence of

the synod, the roll of the whole ministeris names uithin the diocie wes called, and the absentis notted, viz., Mr. Ludovick Dunlop, Mr. Robert Forbes, Mr. Walter Richie, Mr. Williame Chalmer at Innerboyndie, Mr. Johne Watsone. Excused Mr. Johne Robertsone, Mr. Gilbert Clerk, Mr. Johne Chalmer, Mr. David Lindsey, elder, Mr. James Fraser, Mr. Andrew Logie, Mr. Alexander Strachane, Mr. James Douglas, Mr. Alexander Leask, Mr. Alexander Gareoche (bot his sone, Mr. Andrew, being his helper, represented him), Mr. Williame Chalmer at Skene, and Mr. Johne Mercer at Kynellar.

Bretherine appoynted for the privie conference ar as follouis, viz. :—

For Aberdeen exercise	Mr. William Douglas, proffessor of divinitie.
	Mr. Alexander Midletoune, principall of the Kingis Colledge.
	Mr. Johne Menzies, professor of divinitie.
Kincardyn	Mr. George Burnet, parsone of Kincardyn.
	Mr. Robert Reid at Banchorie.
Alfurd	Mr. Adam Barclay.
	Mr. George Gardyne.
	Mr. James Gordone.
Fordyce	Mr. Williame Scroggie.
	Mr. Williame Stevinsone.
Turreffe	Mr. Williame Jaffray, elder.
	Mr. Williame Jaffray, younger.
	Mr. Williame Gray.
Deir	Mr. Andrew Skene.
	Mr. Arthure Ros.
	Mr. James More.
Ellon	Mr. Williame Seatone.
	Mr. Gilbert Andersone.
Gareoche	Mr. Alexander Ros.
	Mr. Williame Gordone.

Session 4th. 19th October, 1664. *Post Meridiem.*

The said day, the lord bishope, uith consent of the haill bretherine of the Assemblie, haue seriouslie recommended to the haill exercises uithin this diocie, and evrie severall parochin and minister uithin the same,

that ther be ane collectione from evrie parochin and kirk sessione, for supplie of tua young Polloniane studentis who leive in Aberdene, and stand in muche neid of charitable help, and who left their awin cuntrey, being troubled for ther professione of the true protestant religione, and evrie minister be desyred to add ther awin charitie to the collectione of the paroche; and the haill collectione so raised to be sent to the seuerall moderators, and fra them to Mr. Johne Menzies, professor of divinitie, betuixt and the first of Januar nixt.

The said day, it is ordered that no testificatis be givin to any creaving support throw the cuntrie, at paroche churches, further then be ane minister within his awin parochin, evrie exercise within ther awin presinct, and the Assemblie within the diocie only; and that no suche licences be granted for longer space bot for ane year allanerlie after subscryving the samen.

Session 5th. Thursday, 20th October, 1664. *Ante Meridiem.*

The said day, it is thocht fitt that the mater of perambulatione betuixt the parochines of Morthlick and Cabrache be presented be the lord bishope to the commissione for plantatione of kirkis, wherby the best remedy according to law may be provyded.

The said day, the 19th act of the said last Assemblie, holdin in October, 1663, anent familie exercise, is renewed: Bearing that evrie minister goe exactlie about familie exercise in using morning and evening prayeris, and reading some portiones of holy scripture, and that they stirr up and exhort the people to goe about suche dueties, and that evrie Lords day they shall catecheise ther families, and at the visitatione of families within ther parochines they shall puntuallie and exactlie inquyre whither or not familie worshipe hath beene used amongst them, and iff it shall be found that in some families these dueties haue not beene performed, they shalbe exhorted and requyred therto.

The said day, Thomas Hird, excommunicat for slaughter, did appear before the synod in sack cloathe, to evidence his repentance for the said cryme (being referred to the exercise of Fordyce); and it beeing represented to the lord bishope and Assemblie be the moderator of the exer-

cise. Mr. Andrew Henrysone, minister at Deskfuird, and some uther of the bretherine, that formerlie he had oftentymes given great signes of repentance, both to the minister and people of the parochin wher he leives, and before the said exercise also, the said Mr. Andrew Henrysone is ordained to relax him from the proces of excommunicatione.

Session 6th. Thursday, 20th October, 1664. *Post Meridiem.*

The said day, the baillies of Aberdene did appear in the Assemblie, desyring the toune to be prouyded uith ministeris, and that Mr. William Scroggie, minister at Rathven, might be one; and the mater was deferred to the first of Januar nixt.

The said day, it is ordered, that any persones who consultis uith or askis questiones at Agnes Pirie, uithin the parochin of [ ] and exercise of Turreffe, who is reported to be distracted, and pretendis to goe with the staris, shalbe censured and punished as consulteris uith uitches and charmeris, and the lyk censure to be used against any who consultis utheris in that kynd.

Session 7th. Fredday, 21st October, 1664. *Ante Meridiem.*

The said day, it is ordered, that evrie minister uithin this diocie keepe ane roll and list in ther sessione bookis of the names of evrie persone that dies uithin ther seuerall parochines, to be given up to the procurator fiscall, or any in his name, as the samyn shalbe desyred.

The said day, anent ane reference from the exercise of Turreffe to the lord bishope and Synod of Aberdene, concerning Williame Creichtoune and Margaret Gardyne, his spous, parochineris of Auchterles, ther gross miscariage in the kirk of the said parochin, on the Lords day, immediatlie after the close of worship (the minister being in the pulpit), by blaspheaming, cursing, and swearing, as also upbraiding and threatning the minister (the particularis wherof ar at lenth sett doune in the presbetrie bookis of Turreffe). After consideratione wherof, it wes thocht fitt be the bishope and bretherine of the synode, that his lordship should seriouslie recommend the samyne to the commissione for government, that course may be takin for punisheing the delinquentis, to the terror of utheris from committing suche offences.

Session 8th. Friday, 21st October, 1664. *Post Meridiem.*

The said day, the lord bishope, haueing formerly writtin letteris to the seuerall exercises within this diocie, requyring ane accompt of dishaunteris from ordinances, wher schooles werr, and wher not, what kirkis werr vaickand within ther seuerall precinctis, and who had intrometted with the vaikand stipendis; as also, ane accompt of ther seuerall patrones, with the rate and true value of ther seuerall stipendis: and haueing this day presented and cause read to the synod the late act of parliament relating to the last particular in his said letter, to witt, the rate and true value of the seuerall stipendis, in order to the additionall help of universities, togither with ane letter, direct be his majestie to the bishopis in Scotland, for that purpos, the seuerall exerceises, not being in reddines to give ane present anser to this last particular, did promeise, upoun the bishope his adverteisment, to send into his lordship the rate and true value of all ther respective stipendis. Wherupon the lord bishope did promeise, that in the management of the money to be exacted from the ministeris out of their stipendis, that he would labor it should prove als litle burdensome to them as possiblie might be.

The said day, it is ordained that the handling of comone headis of controversies be frequently performed by the bretherine of the seuerall exercises within this diocie, especiallie wher poperie most aboundis, and is practized.

The said day, the bussines of discord and outfall betuixt Williame Forbes of New and Johne Forbes of Edinglassie, with ther complices, and ther feichteing, wounding, and hurting utheris upon the Lords day, being taken to consideratione, it is thocht expedient that the same be represented to the lord bishope to the commissione for government, that they may be censured and punished as effeiris.

Session 3d. 18th April, 1665. *Ante Meridiem.*

The said day, anent the contributione to be raised for aedifieing and helping the bridge of Dye, it is ordered that evrie minister give ane accompt what they have given in theranent to Sir Robert Douglas of Tilliequhillie, knight, and his subcollectors.

Session 4th. 18th April, 1665. *Post Meridiem.*

The said day, it is ordered that the lord bishope and haill exercise of Alfurd, with Mr. George Burnet, parsone of Kincardyne, Mr. Williame Douglass at Midmarr, for Kincardyne, Mr. Alexander Ros and Mr. Alexander Seaton for Gareoche, Mr. Jhone Menzeis for Aberdene, Mr. Thomas Thoiris for Fordyce, keep the Presbetrie of Alfurd the first Tuysday of Junii nixt, and ther to indevor the aggriement betuixt New and Edinglassie, and ther adherentis. And that the Erle of Marr, the Maister of Forbes, the Laird of Eicht, or any uther friendis relating to the pairties, who haue greatest influence upon them for setling ther peace and aggriement, wer desyred to that meiting.

The said day, it is ordered that William Crichtone and his wyffe, in the parochin of Auchterles, being citat to this synode, for ther transgressione conteaned in the act of the last synode, concerning them, and they being now contumaces, and not compeirand, it is referred to the Presbetrie of Turreffe, that they be citat before them; and that the presbetrie appoynt them to satisfie in publict, by their professione of repentance, in sackcloath, untill the minister find evidence of ther remorse; and, iff they refuse, that they be procest with excommunicatione.

18th Apryll, 1665.

The said day, it is ordered that Mr. Nathaniell Martyne be persued before the commissary of Aberdene for the presbetrie buik of Deir, and kirk sessione buik of Peterhead, both concealled and withdrawn by him.

Session 2d. 17th October, 1665. *Post Meridiem.*

The rest of this afternoone wes spent in examinatione and tryall of the busines anent the compleant given in be the Lord Fraser against Mr. James Mure, minister at Reathin, for making actis, be himself and kirk sessione, to cast doune the kirk style of Reathin.

18th October, 1665. *Post Meridiem.*

The said [day], anent the compleant given in be Mr. Williame Forbes, minister at Innerurie, against George Ferguson in Ardtamieis, for wronging and injuring him upoun the Lordis day, whilst he wes about his duetie at divyne service, it is ordained be the lord bishope and

synode, that the said George Fergusone acknowledge his error, and evidence his repentance publictlie, in sackcloath, for one day, at his awin paroche kirk of Innerurie. And as for any pecuniall mulct wherunto the said George Fergussone did submitt himselff, by his band, to stand to the lord bishope his determinatione, the same to be takin to further consideratione.

19th October, 1665.

The said day, anent the tumult in the churche of Turreffe on the Lords day, in tyme of sermone, by the minister his removing one Alexander Stuart out of the seat wher he wes then placed, the tryall and examinatione wheroff is referred and recommendit to the exerceise of Turreffe; and ther ar adjoyned to them, as assessoris, Mr. William Scroggie, Mr. Alexander Seatone, at Banff, and Mr. William Stevinsone at Fordyce. And, in the meentyme, all executione of the former act of the exerceise of Turreffe is suspendit, untill report be maid theranent to the nixt synod be the presbetrie and ther assessors.

The said day, anent the dilatione givin in be the minister at Cluny against one James Smyth, for useing enchantment, by casting of the knottis at mariages, for unlawfull endis, the bishope and Assemblie ordanes the said James Smythe to evidence his repentance in sackcloath; and the tyme, and any farther punishement, is referred to the exercise of Kincardyne.

Session 7th. 30th October, 1665 *Ante Meridiem.*

The said day, anent ane supplicatione presented to the lord bishope and synod by certane persones, by the magistratis and toune counsell of Aberdene, for transplanting of Mr. Williame Seattone, minister at Banff, and Mr. Gilbert Andersone, minister at Cruden, frome ther saids respective stationes to the toune of Aberdene, upon consideratione of ther long vaccancie and great necessitie, uith utheris weichtie reasones, conforme to the saidis magistratis ther former nominatione and invitatione of the foirnamed persones to that charge, as in the paperis conteaning ther nominationes, instrumentis takin therupon, and supplication givin in theranent, at mair lenth is conteaned: Whiche the lord bishope and synod, taking seriouslie to ther consideratione, after many persuasiones

and exhortationes used be theme to the saidis ministeris, for embraceing charge of the ministrie in the toune of Aberdene, the saidis ministeris did altogether refuis to remove them selffis frome ther present stationes for divers reasones, and cheeflie the said Mr. Alexander Seatone his unaptnes and inabilitie (as he professed) to serue in so publict a place, and that he could [not] haue the consent of his parochineris to desert theme, being persones of honor, to uitt, the Earle of Findlater, patrone, the Lord Ogilvie, the Lord Banff, the Laird of Auchmedden, Sheriffe Principall of Banff, the brughe and toumeshipe of Banff, uith divers utheris, and that he haid formerlie showin his disassent therto, when he wes first callit to the toune of Aberdene; and the said Mr. Gilbert Andersone, for his personall infirmities, being drawin neir to the age of thrie scoir yeiris, and so failled in bodilie strenth, sight of eyis, weaknes in voice, and dulnes of earis, besydes uther reasones, professing himselff unfitted for that charge and place. The lord bishope and synod pondering the toune of Aberdene ther great necessitie and long vacancie, after many essayis and addressis in and be theme to the synod in former tymes, for furnishing ministeris unto them, uith the saidis ministeris ther resolutione and reasones proposed as said is, the mater wes referred to ane frie voice of the whole bretherine of the synod, whether or not these ministeris, nominat to the toune of Aberdene, should be transplanted thither from ther present stationes; and after collect, ther whole voices by publict reiding the catalogue of all the ministeris names within the diocie, it wes caried by pluralitie of voices that these ministeris should not be transplanted (not many voiceing in the contrair): Wherupoun, Gilbert Gray, late provost of Aberdene, and one of the commissionat persones for the said burghe, in name and behalff of the provest, baillies, counsell, and communitie therof, protestit, that after so long attendance, and many essayis, uith so litle effect, it shalbe leissum and lauchfull to them to furnishe themselffis uith ministeris elsquher uithout this diocie, as it might please God to provyde for theme; and therupon askit and took instrumentis, in presence of the bishope and synod. Lykas then instantlie the said lord bishope protestit, that any suche nominatione of ministeris to be maid to the burghe of Aberdene, or admissione to follow therupon, shall nowayis be prejudiciall to his priviledgeis and interestis in that place, as accords of the law; and therupoun lykwayis askit and took instrumentis,

20th October, 1666.

The said day, it is ordered, that all ministeris who haue not givin satisfactione to Johne Forbes, stationer, for these bookis of the queries, replyes and duplyes of the doctors of Aberdene, conforme to former actis maid theranent, shall pay in the same to the respective moderators at the first or nixt meiting of ther exerceises; and the moderators ar ordained to take ane nott of the deficientis, and represent the samyn to the lord bishope, uithin ten weekis after the dait heirof, that they may be censured accordinglie, and course takin for satisfieing the said Johne, who hes lyin out thir severall yeiris bygane off satisfactione for printing these bukis at ane great charge.

3d October, 1666. *Ante Meridiem.*

The said day, it is ordered, that no fast be keeped in any privat congregatione, uithout warrand be first obtained from the lord bishop, and when any emergent extraordinar occasione falls out, that ane fast salbe thought necessar, the minister of the place sall acquant the lord bishop therwith for obteaneing ane warrand therunto.

The said day, it is ordered be the lord bishop and wholl bretheren of the Assemblie, that maister John Chalmer, minister at Peterhead, haue ane solemne fast uithin his parochine, for that vyll incest and murthir committit uithin the same, and that at the first convenient dyet he shall think expedient.

Session 3d. 17th April, 1667. *Ante Meridiem.*

The said day, it is ordered, that all those who receaves privat baptisme to ther children, from such as are not authorized lauchfullie by orderes from the lord bishope, shalbe procest uith excommunicatione by the minister uithin whose parochine the error is committed.

The said day, it being represented be the commissar of Aberdene and his procurator fiscall, that notuithstanding the act of Assemblie holden in October, 1662, none or few ministeris uithin this diocie, does give up ane list of the defunct persones uithin ther parochines; therfor the said act is heerby renewed, uith this expres additione, that all ministers who does faill in giveing up, at everie synod, ane list of the dead persones

uithin ther parochines, shall be depryved of all ease and benefite of the said former act, anent the confirmeing of ministers and ther wyffes testamentis gratis.

The said day, it is ordered be the lord bishope and synod, that, in everie paroch kirk uithin this diocie, it be noted in ther sessione books, first, the text wherupon the minister hes sermon each Lords day; and nixt, that the dayes and dyets of each ministers catecheiseing be recordit, and that everie minister be cairfull to goe throw the catecheiseing of all his people once everie year at least; and 3dly, that the ministers mack report to the severall presbetries (when they haue gon throw ther catechiseing), when and how oft in the yeir the Communione is given, and that ane not therof be made in the presbetrie books, and the same, uith the rest of the presbetries acts, be presented at each Assemblie to the lord bishope and synode.

Session 4th. 17th Apryll, 1667. *Post Meridiem.*

The said day, it being represented to the lord bishope and synod by the moderator of the Presbetries of Turreff and Deir, that severall deposed ministers, and some others who haue deserted ther charge, resideing uithin the bounds of the saids presbetries, and in particular, Mr. Duncan Forbes, Mr. Nathaniell Martyne, Mr. Arthour Mitchell, and Mr. George Leith, does only deseart the publict ordinances uithin the parochines wher they leive, bot lykwayes exerceise ministeriall acts in privat conventicles, wherby people ar uithdrawin from ther owne pastores, and occasione takin (as it is to be feared) ffor seattareing disloyall principalls in the mynds of the ignorant and unstable; thairfor, it is ordered and recommendit be the lord bishop and synod, that Mr. Alexander Ros at Rathin and Mr. George Andersone at Meathlick sall speak and conferr with the said Mr. Duncan Forbes, Mr. Alexander Gardyne at Dear and Mr. John Strachane at Tarves uith the said Mr. Nathaniell Martyne, Mr. Andrew Skeen at Turreff and Mr. Alexander Gardyne, elder, uith the said Mr. Arthur Mitchell, Mr. William Jaffray at Kinedvard and Mr. William Meldrum at Auchterless uith the said Mr. George Keith, and that the forenamed persones commissionat as said is, report ther severall ansers to the lord bishope betuixt and the fyfteint day of Junii nixt to come, wher throw if they or any of them

sall refuise to doe as they are requyred, ther disorderlie cariadge may be represented to the heighe judicatories of this kingdom.

Item, for restraineing abounding profanitie, it is lykwayes ordered as is aforsaid, that all ministers uithin this diocie be cairfull in executeing church censures against all scandalous persones by uncleannes, drunkinnes, curseing, Sabbath breaking, and suchlyke; and for guarding against profanatione of the Lords day, that ministers be cairfull to inculcat in ther people that great duetie of sanctifieing the Sabbath; and that those who ar induellers uithin toune or paroche who sall be found unnecesserlie travelling or jorneying to or from hom on the Lords day shall forthuith be called befor the respective sessiones wher they leave, and injoyned to be rebuked and mack confessione of ther sin befor the congregatione, utherwayes to be processed; and if any be found travelling uithout the parochin quher they reseid, that ther names be given up to the minister of the parochin quher they ar apprehendit to the parochin quher they leave, to the effect that they may be censured accordinglie, and that publicatione be maid off this act by everie minister at each paroch kirk, wherthrow nane may pretend ignorance therof.

Session 3d. 2d October, 1667. *Ante Meridiem.*

The said day, ordered that all expectantis under tryalls give evidence of ther knowledg in the Greek and Hebrew tounges, and that the accompt therof be exprest in ther respective recomendationes.

The said day, anent the scandall of murther committed in Alfourd parochin be John and Allester Forbess, duelling in the parochin of Strathdone, ordered that they be procest therfor be ther owne minister.

Item, anent Mr. Alexander Gordoune, in the parochine of Glengardyne, uithin the Prisbitrie of Kineardyn, scandelous for fornicatione in the toune of Aberdene, nothin is yet found done therin in respect he is ane outlaw, and therfor it is recomendit to the said presbitrie to goe one in proces against him, iff they can gett ane summones affixt, either personallie or at his duelling place.

Item, ordered be the lord bishop and synod, that ane list be given up

be each minister of all persones cohabiting togidder as maried people within ther parochins, and not publictlie knowin to be lauchfullie maried according to the ordor of the Church, and how long they haue so long leived.

21st Apryll, 1668. Session 2d. *Post Meridiem.*

It being represented from the Presbitrie of Kincardyne, that the Lords day wes much profaned by carriages in transporting of timber and uther commodities on the Lords day, conveyed by those who ar servands to papists; and those servants being reprehended, doe declair that they ar so comanded by ther maisters. The lord bishope and synode ordaines that all such persones be procest be ther owne presbitrie.

23d Apryll, 1668. *Ante Meridiem.*

The said day, concerning the Presbitrie Book of Alfourd, the visitores of the said book represented that ther wes ane proces therin led against Alexander Innes of Sinnahard for severall scandalls mentionat in the said proces, and the said Alexander his miscarriages befor the said presbitrie and to diverse bretheren therof, and that the said Alexander hade appealled from the said presbitrie to the bishop, the bishop also declairing that he hade receaved ane letter from the said Alexander Innes, shewing that for the present he wes valetudinarie and unable to travell, and therfor desyreing to be excused for his not appearing before his lordship and his synode: The bishop therupon, with advyse of the said synod, ordeanes that tuo bretheren from everie one of the rest of the presbitries, viz., for Aberdene, Maister James Gordoune and Maister Robert Reynold; for Kincardyne, Mr. Robert Reid and Maister John Keith; for Garioch, Mr. Alexander Ros and Maister James Strachane; for Fordyce, Mr. Williame Stevinsone and Mr. Alexander Seatoune at Bamfe; for Deir, Mr. Alexander Gardyn at Deir and Mr. Gilbert Clerk at New Dear; for Turreff, Mr. Andrew Skeen and Mr. William Meldrum; for Ellon, Mr. George Melvill at Udny and Mr. Johne Strachane at Tarves: shall meit with him at the kirk at Alfourd upon Tuysday, the tuelt of May nixt to com, be ten o'clock in the forenoone, for cognosceing upon the said proces and judgeing the ground of the said Alexander his appeall, and that summondses be issued out for chargeing the said Alexander to appear befor the bishop and forenamed bretheren the said day,

to hear and sie the said proces and grounds of his appeall cognosced and judged; as lykwayes, appoynts the moderator and remnant bretheren of the Prisbitrie of Alfourd to be present the said day and place, for the cause foresaid.

6th October, 1668.

The quhilk day, the bishop, in face of the synod, did exhibit severall processes of excommunicatione led in the respective presbitries against papists and quakers, and uther scandalous persones, quhich processes he hade considdered and approvin, and accordinglie given ordor that the sentence of excommunicatione pas upon them; and, for that effect, wer delivered to the seuerall moderators, as followis, viz.: in the Presbitrie of Aberdene, the process of John Farquhar, Katharine Blackhall, Mariorie Middletone, Christiane Stewin, Margarat Pattone, apostates to poperie, Alexander Gellie, Jeane Williamsone, Barbara Forbes, and Elizabeth Johnstonne, apostates to quakerisim; Johne Gordone of Brako, suspect of adulterie and apostacie to poperie; Margarat Auchincleck, spous to the said John Gordoune, and Margaret Seatoune, spous to Alexander Pringle, William Grant of Conglass, apostates to poprie; John Crombie, under scandell of adulterie, and contumaceous to the discipline of that presbitrie. Within the Presbitrie of Turreff, the process of Margarat Crichtoune, spous to James Gordon of Monellie, Johne Gordone, servant to the said James, James Ros, lait servant to the Viscount of Frendraught, and now servant to Pitfoddells, Adam Robertsone, lait servant to the gardiner of Frendraucht, apostates to poprie; James Watt, relapse in fornicatione, and disobedient to the discipline of the said presbitrie. Within the Presbitrie of Ellone, the processes of Collonell John Strachane of Monlettie, James Strachane, sone to the said John Strachane, and Marie Gordone, Ladie Shivis, apostats to poprie.

And it is recommendit to the severall moderators and presbitries to be cairfull that the sentence against these persones *respective* uithin ther bounds be, uith all convenience, orderlie executed by the ministers in whose parish the processes was led; and, for that effect, it is ordained that publict intimatione be maid the Lords day preceiding, that the nixt Sabbath the sentence of excommunicatione is to be pronunced against such persones. And this intimation to be in the parish churches

both wher the processes wer led, and also wher the persone to be excommunicat doeth at present reside.

7th Octoher, 1668.

A forme of excommunicatione to be pronunced against such papists whose processes are closed and approvin.

It is not unknowin to you who are heir present, that our Lord Jesus, he being ane lawgiver of his Church, hath in his blessed word comanded us to withdrawe ourselues from everie professed member of the church that walketh disorderlie, as the Apostle Paull sheweth us, 2 Thess., cap. 3, 6, 7, and, for that effect, hath impowered the governoures of the church to reject and cast out from the communione and fellowship of the faithfull, such as, efter lauchfull admonitione and due meanes (according to his appoyntement,) used for ther reclaimeing, doe, notwithstanding, continue obstinately in ther sinfull and scandalous walkeing, contrair to the wayes of truth, holieness, and peace, according to that of our Saviour in the 18 of Mathews Gospell, v. 17, 18, he that neglecteth to heir the church, let him be unto yow as ane heathin and publican. Verily, I say unto yow, whatsoever ye shall bind on earth shall be bound in heavin. And now, for as much as A. B. hath fallin of from the truth of God and unitie of the church unto the error and schisim of poperie; and, being convict therof, hath, according to the lawes of Christ, beine frequentlie admonished heirof, and earnestlie prayed for, and his repentance long and patientlie expected, but, after all these meanes used, hath not beine prevailled with, but yet continowes obstinat, without any evidence or signe of his true repentance, to the great dishonour of God, and offence of his people: thairfor it is ordaint be the bishop, our ordinary, and the bretheren of our presbitrie, that the dreadfull sentence of excommunicatione be pronuncit this day, and in this place, against him be the minister heir officiateing; and, in obedience to his order, I doe, in the name of the great God, and by authoritie of his sone, our Lord Jesus Christ, the glorious head of this church, excommunicat the said A. B. from the communione of the church, and rejects him from the priviledge and fellowship of the faithfull, leaueing him bound to the judgment of the Lord, untill he give sufficient evidence of his repentance, and reconcell himselffe to the church: requyreing yow and all the christiane people, according to

the commandement of Christ, to avoid the said persone, and hav no company uith him, that he may be ashamed, untill he be againe reconcelled to the church, as ye wold not incurr the displeasure of God and censures of the church. which, upon such as transgresse heirin, shall be inflicted.

Let the prayer accompanyeing the sentence be to this effect:

That God, who hath appoynted this terrible sentence for removeing of offences, and reduceing of obstinat sinners, wold mack this his ordinance effectuall to all these holy ends for quhich he hath appoynted it, that his retaineing of the offendaris sinne and shuteing him out of the church may fill him with fear and shame, break his obstinate heart. and be a meanes to recover him from the power of the devill, that he may yet be saved, that uthers also may be stricken uith fear and not dare to sinne so presumptuouslie; and that all such corrupt leavin being purged out of the church, quhich is the hous of God, Jesus Christ may delight to duell in the midest therof.

A forme of excommunicatione to be pronunced against such Quakares whos process are closed and approvin.

It is not unknowine to you who are heir present, that our Lord Jesus Christ, the king and lawgiver of his Church, hath in his blessed word comanded us to uithdrawe our selves from everie professed member of the Church that walketh disorderlie, as the apostle Paull sheweth us, 2 Theis. cap. 3, v. 6, and for that effect hath also impoured the governores of the Church to reject and cast out from the communione and fellowship of the faithfull such as, efter lawfull admonitione and due meanes, according to his appoyntment, used for ther reclaimeing, doe notuithstanding continew obstinatlie in ther sinfull and scandolous walkeing contrair to the wayes of the truth, holienes, and peace, according to that of our Savior in the 18 of Mathews Gospell, v. 17, 18, he that neglecteth to heir the Church let him be unto you as ane heathin and a publican: Verily I say unto you, that quhatsoever ye shall bind on earth shall be bound in heavin, and quhatsoever ye shall loose on earth shall be loosed in heavin. And now, for as much as A. B. hath feillin from the truth of God and unitie of the Church unto the pernicious errors and unchristiane practises of that lait risen sect comonlie called Quakers,

particularlie in slighting and revyleing the publict ordinances of God, and being convict therof, hes, according to the lawes of Christ, beine frequentlie admonished therof earnestlie, and prayed for, and his repentance long and patientlie expected; but after all these meanes used, hath not beine prevailled uith, but continowes obstinat uithout any evidence or signe of his true repentance, to the great dishonour of God and offence of his people; and therfor it is ordered by the bishop, our ordinarie, and the bretheren of our presbitrie, that the dreadfull sentence of excommunicatione be pronunced this day, and in this place, against him, by the minister heir officiating: And, in obedience to this ordor, I doe, in the name of the great God, and by authoritie of his Sone, our Lord Jesus Christ, the glorious head of this Church, excommunicat the said A. B. from the communione of the Church, and reject him from the priviledges and fellowship of the faithfull, leiving him bound to the judgment of the Lord, untill he give sufficient evidence of his repentance; requyreing you and all Christiane people, according to the commandement of Christ, to avoid the said persone, and to haue no companie uith him, that he may be ashamed untill he be reconceilled to the Church, as you wold not incurr the displeasure of God and censures of the Church, quhich upon such as transgresse heirin will be inflicted.

A prayer accompanyeing the sentence to be *ut supra.*

A forme of excommunicatione to be pronunced against such who refuise to submitt themselves to the discipline of the Church, for removeing of the scandell of some grosse offences, efter ther process is closed and approvine.

It is not unknowine to you who are heir present that our Lord Jesus Christ, the king and lawgiver of his Church, hath, in his blessed word, comanded us to uithdrawe ourselves from evrie professed member of the Church that walketh disorderlie, as the apostle Paull sheweth us, ii. Thess. cap. 3, v. 6; and for that effect hath also impoured the governoures of the Church to reject and cast out from the communione and fellowship of the faithfull such as, efter lawfull admonitione and due meanes, according to his appoyntment, used for ther reclaimeing, doe notuithstanding persist and continew obstinat in ther sinfull and scandalous walking, contraire to the wayes of truth, holieness, and peace, according to that of our Savior in the 18 of Mathew's Gospell, v. 17,

18, he that neglecteth to hear the Church, let him be unto others ane heathen and a publican: Verily I say unto you, whatsoever ye shall bind one earth shall be bound in heavin, and quhatsover ye shall loose one earth shall be loosed in heavin. And now, for as much as A. B. hath fallin into the grosse sinne of (heir mentione the scandall), and being convict therof, haue, according to the lawes of Christ, beine frequentlie admonished heirof, earnestlie prayed for. and his repentance long and patientlie expected, but, after all these meanes used, hath not bene prevailled with to submitt to the discipline of the church for removeing the forsaid scandell, but yet continewes obstinat, without any evidence or signe of his true repentance for this sinne, and contempt of the church, the great dishonour of God, and offence to his people: and, therfor, it is ordained, be the bishop, our ordinarie, and brethren of our presbitrie, that the dreadfull sentence of excommunicatione be pronunced this day, and in this place, against him by the minister heir officeating. In obedience to this order, I doe, in the name of the great God, and by the authoritie of his sone, the Lord Jesus Christ, the glorious head of this church, excommunicat the said A. B. from his communione of the church, and reject him from the priviledge and fellowship of the faithfull; leaveing bound to the judgement of the Lord untill he give sufficient evidence of his repentance: requyreing yow and all christiane people, according to the commandement of Christ, to avoid the said persone, and to haue no companie with him, and that he may be ashamed, untill he be again reconceiiled to the church, as you would not incurre the displeasures of God and the censur, of his church, quhich, upon such as transgresse heirin, will be inflicted.

A prayer accompanyeing the sentence to be *ut supra*.

8th October, 1668.

The said day, it being represented to the bishop and synod that ther haue bene some unmaried women surprysed and caried violentlie away be men (especiallie by the men of the Highland countrie) under pretence to marie them, and lykewayes that ther ar frequent disorderlie mariages contrarie to the ordor and authorized custome of the Church, to the great offence of God and scandell of christiane people; therfor, for curbeing and restraineing these enormities (in so farr as it concernes the ecclesiasticall censur), the lord bishope and synod doeth ordaine, that ministeres

tack diligent notice in ther respective boundes of such scandelous persones, and that whosoever efter tryall shall be convict of haueing violentlie caried away any unmaried woman shall be censured to remove the scandell in the same maner in all things as it is injoyned unto adulterers, albeit he should efterwards extort or procure the woman's consent to marie him; and if it be found that the woman caried away haue beine privie unto the same, and in collusione uith the man uithout the knowledge and consent of her parents, in that caice that the woman be censured in lyk maner as the man. And also it is ordaint, that all such persones as shall be found guiltie of accessione to the said scandelous violence in the couvering and assisting such a man in carieying away of the woman as said is, shall be injoyned to remove the scandell lykewayes, in sackcloth; bot for the number of the dayes of the publict appearance it be at the discretione of the respective ministers and sessions to be ordored by them accordingly, as these persones haue beine mor or lesse guiltie of accessione to that sinne; and the persones so censured to be procest unto excommunicatione, in caice of ther disobedience in not satisfieing as is *respective* ordained. It is lykwayes ordained, that such persones who doe cohabit togidder, pretending they are maried by popish preists, shall be procest till they instruct ther mariage by uitness, and, being instructed, shall mack publict acknowledgement of ther sinne of disorderlie marrieing in face of the congregatione, otherwayes to be procest; as also quhatever persones doe cohabit togidder as maried, alledgeing that they haue privatlie plighted faith one to ane uther, but it is found that ther wes no intimatione of ther purpose to the congregatione, nor the mariage solemnized nor blessed by any minister, the persones that haue so cohabited shall be censured as fornicators, and be procest as converseing in uncleannesse, ay and whill they separat one from ane uther, and haueing removed the scandell as is appoynted, be lawfullie married according to the ordor of the Church. In lyk maner, wher tuo unmaried persones com befor a minister in privat or in publict, declairing they tack uthers as husband and wyffe, and doe presentlie cohabit togidder, and uill not wait the publict intimatione of ther purpose to the congregatione or solemnizatione by the minister according to the ordor of the Church, it is ordained that such as ar guiltie of this transgressing for the time that is bygone shall mack ther publict appearance in ther owne paroch church, and ther, in presence of the minister and congregatione,

confesse and crave God and the congregatione forgivenesse for ther sin, and therupon receave the ordorlie blisseing to ther mariage from the minister, but uithall to mack publict intimatione. Lykas it is also, by the bishop and synod, appoynted, that all such as shall be found to contraveine the ordor of the Church for the tyme to come efter the publicatione of this act shall be censured as fornicatores, and processed in caice of ther disobedience; and furder, it is recomendit to the moderatores and Presbitries of Alfourd, Kincardin, Fordyce, and Gareoch, that publict intimatione be made heirof in such congregationes uithin ther respective bounds as they sall think most neidfull.

8th October, 1668.

The said day, anent the Presbitrie Book of Alfourd, the discipline therof from the 16th October, 1667, to the followeing synod in Appryll, 1668, is visited and approvin be the bishop and synod, excepting the proces of Alexander Innes of Sinnahard, quhich is to be rectified according to the act last past by the bishop and bretheren of the respective presbitries, conveined at Alfourd the 12th Maii, 1668, for cognitione of the said proces, quhich act wes accordinglie red this day in presence of the synod, and is ordered to be transmitted uith the referrs of this synod, to be insert in the presbitries books of Alfourd, of the quhich act the tennor follouis:—

Att the kirk of Alfourd, 12th May, 1668.

The quhilk day, according to the act of the bishop and synod, mett at the Kings Colledge Kirk, in Old Aberdene, the 23d of Appryll last, the bishop and bretheren from the seuerall presbitries uithin this diocie being conveined at the said kirk of Alfourd, for cognosceing the proces of the Presbitrie of Alfourd led against Alexander Innes of Sinnahard, and judgeing the grounds and reasons of the said Alexander his appeall from the said presbitrie to the bishop.

After prayer unto God, for directione and assistance, Mr. Robert Reynold was chosen clerk, and made faith *de fideli administratione*.

The roll of the bretheren appoynted to meit heir this day being called, non wer absent, except Mr. William Meldrum, Maister Gilbert Clerk, Mr. James Straquhan. Alexander Innes of Sinnahard, being lawfully cited to this meiting, and called, compeired; the moderator and bretheren of the Presbitrie of Alfourd also appeareing. The pro-

ces against the said Alexander, as it wes recorded in the register of the said presbitrie, wes first red, and also the reasones and grounds of the said Alexander his appeall, togidder with the answer given be the moderator and bretheren of the said presbitrie to the said reasonis in lyke manner produced and redd; and both parties being heard at lenth what they hade furder to alledge for themselves respectivelie anent the premissis, and therefter removed, the bishope and bretheren present, efter mature consideratione hade of the wholl mater, doe find, first, that the ground given first by the said Alexander Innes in his appeall are not sufficient nor relevant, and therfor voce it as to the reasones alledged on his pairt *male appellatum*. But with all, secondlie, haueing considdered the sentence of the said presbitrie against the said Alexander, togidder with the groundes therof, as it stands in ther register, they find it *male judicatum*; becaus that wheras the said Alexander wes convict befor them of diverse scandells, and each of these in severall places, viz.: 1st, of Sabbath breackeing in the parochin of Kegg, the last Lords day of Januarii last; 2d, of scandelous rydeing by the kirk styll of Towie, his owne paroch kirk, upon the second of Februarii last, being also the Lords day, when the people wer conveeneing to sermone, quhairthrough he wes at no sermon that day; and, 3dly, of his grose miscariage, in his disrespective insolent behavior when he appeared before that presbitrie Februar the 20th and March the 12th, and to diverse bretheren therof; yet the presbitrie doeth only ordaine him, for all these scandells, to make publict satisfactione on the place of repentance in his owne kirk of Towie. Which sentence is theirfor judged disproportionated to the grounds theroff; and uithall, for the regular and ordorlie removall of the forsaid scandells, the bishop, with advyce of the bretheren, ordaines, first, that the said Alexander Innes shall, for his Sabbath brackeing in the parochine of Keg, befor mentioned, appear, on some Lords day betuixt the last of June nixt to come, befor the pulpitt of Kegg, and ther, in presence of the minister of the said paroch and congregatione then mett, according to the ordor of the church, mak publict confessione of his sinne of Sabboth brackeing, and professe his repentance for the same. 2dly, ordaines also that the lyke be done by him in lyke maner befor the pulpit of Towie, uithin the tyme above specified, for the scandell befor mentioned given ther. And, 3dly, that, for his miscariage in the presbitrie and brethren therof, he is appoynted pre-

sentlie, in presence of this meiting, to mack ane humble acknowledgement of the same, craueing God pardone therfor, and the bretheren, whom he hade so much offended. Lykwayes, both parties being called in, the judgement of the bishop and bretheren conveined was, by the bishop, intimated unto them. Wherunto Alexander Innes of Sinnahard snbmitted himselffe; and, accordinglie, he did presentlie acknowledge his sinfull miscariages befor the presbitrie, and craved God and the bretheren pardone for the same. *Sic subscribitur*, Mr. Robert Renold, clerk. Item, the 3d day, the discipline of the said presbitrie book of Alfourd for this last halfe yeir is also visited, and approvin only.

Wednesday, 22d April, 1669.

The said day, it being representit that the feirfull and damnable practice of witcheraft and charming is much abounding in all pairtes of the country, it is therfor statut and ordanit, that all who shall oe found charmers, if made out against them, shall be censured, conform to the ordinance and act of the synod in anno 1663; and that consulters with witches and charmers, and seekers of help from them, shall be censured in maner mentionat in the said act, besides the representing therof to to the civill magistrat.

The said day, the bishop and synod doe appoynt that the second Wednesday of Maii nixt to come, being the tuelvit day therof, shall be observed and keeped as ane day of humiliatione throughout the wholl congregationes within this diocese; and ane draught of the reasones therof, conform to the above mentionat generall heads, wes given in be the saids Mr. Robert Rynald and Mr. Adam Barclay, and redd and allowed befoir the synod; and publict intimatione to be made therof in every congregatione upon the Lords day immediatlie preceeding the said tuelvit of Maii.

22d April, 1670.

The said day, it is ordered that any proces persued, or to be persued, against Alexander Innes of Sinnahard befoir the Presbitrie of Alfuird, quher he leives, or any other churche judicatorie (in caice he shall threaten or offer any violence to the officer who is to summond him, and the same being provine and made out), his citatione to any dyet

from pulpit, by the minister of the parochin quher he leives, on ane Lords day after sermone, shall be als sufficient as if he wer citat by any messenger or officer; and that the citatione of any witness to be adduced against him may be used by the kirk officer of the parochine quher he duells.

23d April, 1670.

The said day, Mr. Robert Irving having desired ane warrand to collect ane contribution towards the building of ane bridge upone the water of Done att Towie, it was thoght fitt, be the bishop and synod, that the Presbitrie of Alfurd appoynt some persons to be visitors of the place quher the bridge is designed to be built, and conveniencie therof, and mak report theranent to the nixt synod.

Item, the like being desired be Mr. William Meldrum, for ane bridge to be built upon the water of Ythen at the Cheppell of Sigget, it is thoght fitt, be the bishop and synod, that the Presbitrie of Turreff appoynt persons to be visitores for the lik purpose, and to report at the nixt synod.

26th April, 1671.

The said day, anent the sentence of excommunicatione against John Gordone of Bracko, in the parochin of Logie Durno, and Williame Grant in Conglass, in the parochin of Innerurie, for ther defectione to poprie, the Presbitrie of Gareoche is ordained to caus summond the said persones befoir theme; and, iff they find not some relevant grounds for delaying the sentence, in that caice they shall proceed against thame with the sentence of excommunicatione.

The said day, it is ordered that the bretheren of the Presbitrie of Gareoch shall use ther best indevors for restraining of quakerisme and meittingis of quakeris uithin the parochin of Monkegie, and therabout.

The said day, anent Mr. James Gordone his desyre to be admitted minister at Coull, conforme to his presentatione, his conditione being considered be the lord bishop, and syne after they haid heard himselff at lenth, and seen famous testimonies from the Bishope of Murray, and

Presbitrie of Strathbogie, as also, frome the bretherine of the Presbitrie of Kincardyn, off his conversatioun in that presbitrie since October last, the lord bishop, with consent of the synode, by ther vote, did appoynt and order that he shal be entered to the ministrie at the kirk of Coull, conform to the presentatione given to him for that effect.

27th April, 1671.

The said day, the lord bishop declared that he haid receaved ane letter frome the Bishope of Murray, wherby it wes represented that Mr. Walter Darg, reseeding within the Presbitrie of Fordyce, hes committed seuerall dissorderis (being ane depryved minister), by marieing severall persones within the diocese of Murray in ane disorderlie way: therfoir the bishop, with consent of the synod, ordaines that the bretherine of the Presbitrie of Fordyce cause cite the said Mr. Walter Darg before them, and ordane him to offer himselff to tryall befoir the Bishop of Murray, or any presbitrie within the Diocese of Murray to whome the Bishop of Murray shall referr him for tryall, as to his misbehaviors forsaids: uther wayis, that he be processed with excommunicatione.

3d October, 1671.

Item, that, in parochial visitationes, besydes the inquirie to be maid anent the ministeris doctrine, discipline, and conversatione, as lykwayis concerning the diligence and conversatione of the elderis, searche may be maid anent the ministeris present provisione, manse, gleeb, and other priviledges; anent the schoole maister, and his mainteanance; anent the fabrick of the churche, and churche yaird dykis; anent mortificationes iff ther be any), and how they ar secured and imployed; anent the churche registers, whether or not ther be a perfect record of dyetis off preacheing, catechising, baptisme, mariages, burialls, with the due celebratione of the Lords Supper, and the outsides of the churche, and improvent of the poores money and penalties. Item, concerning ministeris conversationes, iff it be scandalous, and of his diligence in his office, that the elders be posed upoun oath theranent, the minister being allowed to propone his exceptiones (if any he have) against them or any of them. And that the people, be ane edict to be served at the paroch kirk upoun a Lords day, be wairned to attend at the said visitatione, to object what they know or ar able to prove against the minister: With

certificatione, iff they appear not to the effect forsaid, bot therafter shall give in any accusatione, that they could have provin als weill at the visitatione to which they werr publictlie wairned, as therafter (whiche they must declair upon oath), then, and in that caice, they ar not to be further hard in any suche mater.

17th October, 1673.

The said day, the mater anent Mr. John Irving being tackine to consideratione, who haide beine suspendit from the exercise of his ministrie at Cabrach from Maii last untill this tyme, by order from the lord bishop, for his disorderlie walking towards the Presbitrie of Alfurd, and in pronunceing ane disorderlie sentence of excommunicatione against Allaster Stewart; the said day, Mr. John appearing, and humblie acknowledgeing his miscariages and faillings throw rashenes and passione, and promeiseing in the Lords strenth to stryue against such tentationes. the mater, being brought to ane vote of the synod, whither he should continowe suspendit or be reponed to the exerceise of the ministerie in that place, it wes woited and concluded that he should be reponed to the exerceise of the ministerie at Cabrach: with certificatione, that iff he be found to miscarie afterwards, through rashenes or passione, the nixt stepe of censure will be weightier. And, with all, it is appoynted that Mr. Adam Barclay goe to Cabrache at his first conveniencie one ane Lords day, and preach to the people, and repone him to the exerceise of the ministrie; and declair to the people that the said Mr. John is now reponed againe in hopis of his amendement. And, withall, to rebuike that people for ther insolent cariage towards him; and to cause the said Mr. John preache a pairt of the tyme that day, and professe to the people a sense of his former faillings, with his resolutiones and ingaigements to ane better behavior in tymes comeing.

21st April, 1674.

The said day, it is ordered that evrie minister within this diocese give a sight of ther registeris of buriallis uithin ther severall parochines to the commissars fiscall, his commissioneris or deputies, when requyred, as they uill be anserable; and that the roll of the dead persones be subscryved be the ministeris or ther clerkis of sessione. And, howevir, that

the saids rollis be sent to the clerk of the synod, to be conveyed be him to the procurator fiscall at eache synod.

23d April, 1674.

And accordinglie it wes found provin by the depositiones of uitnesses admitted be the said Mr. James [Gordon, minister of Coul], as followis, viz., 1° his swearing by God, threatning violence to, and following, Robert Stuart with four armed men; 2° his scandalous drinking; 3° his beating of James Caddel in ane ailehous; 4° his denying his awin subscriptione; 5° his lying and gros prevaricatione in his ansers anent the place in whiche he wes with Margaret Hay, the said 29 of May; all which is sufficientlie provin: wherthrow the said Maister James hes rendered himselff infamous and most scandalous, unbeseeming ane minister of the gospell.

Whilkis premissis being publictlie redd and considered, it wes put to ane free voice of the synod, whither the said Mr. James should be absolved, suspended, or deposed, who accordinglie did voice that he should be deposed from the office and functione of the holy ministrie. The Presbitrie of Kincardine and the said Mr. James being called in, the lord bishope did delyver the mynd of the synod to the said presbitrie off the synod concerning them, and did approve them in ther procedor. And as concerning the said Mr. James Gordone, the lord bishope delyvered to him the sentence of the synode in order to his appeall, that they did nowayis susteane it. And, withall, that for the severall miscariages and scandealous beheavior maid out against him, as is above mentioned, they had voiced him to be deposed; and accordinglie the lord bishope did discharge and depose him from the sacred functione of the ministrie: wherupoun the said Mr. James did immediatlie appeale from the bishope and synod unto the lords of his Majesties privie councell, in maner, and for the reasones mentionat in his appellatione; and protested against any sentence alreddie past or to be past against him.

24th April, 1674.

The said day, anent the visitatione of the kirk of Monkegie, the diligence of the bretheren appoynted for that end being registrat in the presbitrie buiks of Garioche, wes publictlie redd and considered; as also, the former appoyntment anent the visitatione of the kirkis of Innerurie and

Logie Durno is heirby renued, and new dyetis appoynted to be issued furth for that effect, as follows, to witt: it is ordered that the kirk of Innerurie be visited the first Tuysday of Junii nixt to come, with continewatione of dayis, and that be the bretherine of the Presbitrie of Gareoche, and the other bretheren, as assesors to them, mentioned in the act of the last synod maid theranent; and that the moderator of Gareoche caus give tymous adverteisment theroff to the parochin of Innerurie. And that the said presbitrie and visitors shall at that tyme condiscend what kirk they shall think fitt and most necessar nixt to be visited, and the tyme therof; and that the moderator cause advertise the parochineris, and serue for that effect edictis, and give advertisment to the bretheren who ar assessors to the presbitrie.

8th October, 1674.

The said day, it is recommendit be the lord bishope, with consent of the bretheren of the synode, that, according to the act of the last synod, the seuerall presbitries shall be dilligent in the visitatione of the churches uithin ther respective bounds, for the better accomplishing whairoff, ther was a paper presented to the synod, containeing directions for the visitatione of churches, and for the privat tryall and censure of ministers uithin ther respective presbitries, whairoff the tenor followes:

Directiones for visitationes of churches.

That on the tuo Lords dayes preceiding the visitatione of each parochine, intimatione thairoff be made to the congregatione, and all invited to be at the worship; and that the heritoris, elders, and masters of families be requyred to attend the visitatione; and that some of the ministers of the presbitrie be tymouslie appoynted to preach at said dyet, and that another of them be appoynted to be clerk to the visitatione.

After prayer, the minister haveing declaired that the visitatione was intimat to the congregatione, he shall give in a list of the elders of the sessione, who shall be called upon by name, and the heritors and masters of families shall be desyred lykwayes to stay.

Befor further procedor, the whole ordor for visitatione of churches is to be publictlie red, that all of them who are present may know how far they are heirin concerned, and understanding the minister to be obleidged to such offices, they may be more uilling to admitt of them from him.

After this, the minister being removed, these of the visitors, elders, and masters of families that are present shall be interrogat, iff ther be anie thing in the deportment of ther pastor which doeth offend thame, and that they be exhorted, if ther be no publict scandall given be him, to impairt that whairin they are dissatisfied to one or more of the bretheren of the presbitrie and to the bishop (if present), that he may be warned and admonished thairof, and that also they all may be advertised, that no privat failing in the minister be publictlie alleadgit against him, untill they have aither represented it to himselff and to the bishop, or some one or tuo of the bretheren in the presbitrie, and he be admonished thairof.

After this, the elders being requyred to anser as it becomes ingenuous and honest men, in such trust and place, shall be interrogat, one by one, in presence of the heritors and masters of families, as followes :—*Primo*, Iff ther be preaching on each Lords day, and how often ; 2d, Iff the minister preach to ther edificatione, and be carefull in reproving of sinne, both publictlie and privatlie, especiallie these sins which most prevaill among the people ; 3d, Iff he keep at home, not steering abroad unnecessarlie ; 4th, Iff his conversatione be uithout lightnes and vanitie, grave and examplarlie in piety ; 5th, Iff he doeth uithout necessitie resort to tavernes ; 6th, Iff he administrat the Sacrament of the Lords Supper, and how often in the yeir ; 7th, Iff he be carefull to debarr all such from it as are scandelous ; 8th, Iff discipline be diligentlie and impartiallie exercised ; 9th, Iff he be carefull to visit the sick, when he is informed or called theruntо; 10th, Iff he be a good example to the people in ordoring of his own familie ; 11th, Iff he visit the tounes and families of the parochine, and excite them to pietie and the familie dewties ; 12th, Iff he be dilligent in catechising and impartiall in takeing paines to prepare young persones befor they partake of the Lords Supper ; 13th, Iff he be carefull to mantaine peace and promove it and love among all the people, and to reconcile these that are at variance.

And becaus, besydes the testimonie of others, it is necessar that the minister have also a good testimonie from his own conscience, thairfoir, thairefter, (the minister being called in), and all, except the member of the presbitrie, removed, such other interrogators are to be proposed to him as concerne the most substantiall and necessar dewties of his ministrie and conversatione, and particularlie these after following: 1st, Iff

he be preaching on each Lords day, and how often. 2d, Iff in preaching, all unedifieing discourses be avoided. 3d, Iff the explicatione of such articles of christiane faith as ar necessar to be known be most insisted on. 4th, Iff the great and indispensable dewties of christianitie be frequentlie recommendit and pressed. 5th, Iff the sinne that most prevaill amongst the people be frequentlie reprooved. And finallie, iff all this be done in ane plane, intelligible maner, in decent expressiones, without affectatione of strange wordis.

2d, Iff diligence be used for informatione anent the dispositione and deportment of particular persones within this charge. 2d, Iff he on all occasiones indeavor to instruct, exhort, and rebuik, as he finds cause. 3d, Iff he use his faithfull endeavors for awakening such as are careles, irreligious, and profane, for ther reformatione and amendement. 4th, iff he encourrage these in whom he findes ane inclinatione to godlines and christian vertues, and direct them to the proper meanes for advanceing themselffes in holines. And, 5th, iff he indeavor to prevent the spreading of error, and, in particular, of poprie and quakerisme amongst his flock; and to informe and establish them in the truth who stand, and to recover them who are fallen.

3d, Iff he keep at haime, not sturring abroad unnecessarilie. 2d, Iff his conversatione be without lightnes, vanitie, and trifling, grave and stayed. 3d, Iff he avoyd and discountenance all profane and irreligious practises. 4th, Iff in his deportment with those of his charge he behave himselff humblie and lovinglie, that they may the more uillinglie, upon all occasiones, address themselves to him as the good of ther soules. 5th, Iff he endeavor in all christane vertues to be ane example to his people, keeping himselfe from evrie thing that savors of pryde, passione, covetousness, intemperance, and all sensualitie. 6th, Iff he shun unnecessarie resorting to tavernes.

4th, Iff he administrat the sacrament of the Lords Supper, and how often in the yeir. 2d, Iff he debarr from it all such as are ignorant and scandalous. 3d, Iff in the tyme of administratione he shun all impertinent (though, at other tymes, profitable) discourses, suggesting breefly to the communicants what is proper to that bussines.

5th, Iff als often as parents resort to him for the benefite of baptisme to ther children he put them in mynd of ther own baptismal vow to live christianlie, and of the obligatione lying on them to bring up their chil-

dren in the knowledge and fear of God, and that they be carefull in dew tyme to put them to schooles.

6th. Iff discipline be dilligentlie and impartially exercised, and that without neither procrastinatione or delay, for removeing of scandall. 2d. Iff in privat he deall earnestlie diligentlie uith the penitents to bring them to ane dew sense of their sinne, and do not absolve anie, nor admit anie to partake of the Lords Supper, untill some probable signes of repentance appear in them.

7th. Iff he visit the sick when once informed of ther seikness. 2d, Iff he use his endeavor to awaken in them a sense of ther sinnes, that they may be humbled for them, confesse them, and repent of them, and have recourse to God, through Jesus Christ, for pardone. 3d, Iff he stirr them up (if God shall lenthen ther dayes) to live more christianlie. 4th, Iff he exhort them to patience under the hand of God, and cheerfull submissione to his will. 5th, Iff he represent unto them the happie estate of them that die in the Lord, and the miserie of such as die in ther sins. 6th, Iff he suggest unto them what is proper for lousing ther affectiones from the world, and to beget in them a lyvelie hope of the glorie of heaven. 7th, Iff he exhort them to forgive all that have wronged them, and to satisfie these whom they have offended, and to make restitution if they have gotten anie thing by fraud or violence. 8th, Iff he exhort them to frequent and fervent prayer, he himselff praying uith them and for them. 9th, Iff he exhort them, as he hes need, to make a just, prudent, and charitable distributione of ther goods, and to consider the poor, iff ther estate may yield any thing for ther supplie. 10th, Iff he frequentlie visite those who are under infirmitie of bodie and seeknes, confyned to ther bedds or houses. 11th, Iff he show the lyke caire and compassione on the fatherles, poor, and widow persones, and such as are under ane hard afflictione within his charge.

8th, Iff he visite each familie yearlie or oftener (iff the families be few), and recommend unto them the great and indispensable deuties of Christianitie, and the trew and proper meanes of perfecting holines in the fear of God. 2d, Iff, in his visitatione, he inquyre whither the maisters, uith such other of the families as are of age, make conscience of takeing the sacrament of the bodie and blood of Chryst, when it is in ther offer; and whither the parents be carefull in putting the children to schooles, and to instruct them and ther servands in the knowledge of God, and put them

to prayer morneing and euening in secreit. If the holie Scriptures be frequentlie red to the familie by the master of the familie, or, if he himselff cannot read, by some other of the familie that can doe it. Iff ther be familie prayer used morneing and evening. Iff ther be anie persone receaved in the familie without testimoniall presented to the minister. Iff he doe seriouslie exhort them to attend the preaching of the word and publict worship of God, especiallie on the Sabbath, and excite them to sanctifie the Lords day throughout. And, iff he doe inquyre iff ane be disorderlie in anie of these.

Iff, after these and such lyke enquyries, he seriouslie, prudentlie, and lovinglie apply his admonitiones to the master and others of the familie, as ther conditione doeth requyre.

9th, Iff he himselff be a good example to the rest of the people in ordoring his own familie, in constantlie performeing all familie dewties therin.

10th, Iff he catechise these of his parochine at leist once a yeir, takeing the most convenient seasone for it, and not putting it off till a few weekes befor the Communion. 2d, Iff in catechising he take notice of all the persones (off whois knowledge he hath not sufficient prooff) off ther knowledge in things of religion that are most necessar to be known by all; iff he put them to rehearse the beleeff, the ten commandements, and the Lords prayer; iff he try ther knowledge of the sin and miserie of man, of the Redeemer, and the conditiones on which wee must be saved by him, examineing also what care they have, or resolve to have, for performing of these conditiones, and about the meanes of obtaineing grace from God for enableing them to performe what is requyred.

11th, Iff, befor the first admissione of young persones to the Sacrament of the Lords Supper, he endeavor to beget in them a true sense of the obligatione lying on them by being baptized unto Chryst to renunce the Devill, the world, and the flesh, and of ther resolutione to serve and obey him, and endeavor to persuade them to yield ane advyced and expres consent to adhere to that vow for ever thairafter.

12th, Iff he maintaine and get fordward, als much as in him lyes, quyetnes, peace, and love amongst all christians, especiallie amongst them that ar committed to his charge.

Then the heritors and masters of families being called in, and the elders only removed, the minister shall be interrogat concerning ther dili-

gence in delating of scandalls, assisting him in the exercise of discipline, and representing the conditione of the poor and sick in ther severall quarters, and if ther be anie thing in which he would have any of them, or all of them, admonished. Afterwards, the elders being called in and spoken to anent the minister's testimony concerneing them, the heritors, elders, and masters of families being present, the minister shall be further interrogat.

1st, Iff ther be any mortificationes, and what they are, and for what and how secured, and how improven. 2d, Iff dew considderatione be haide of the poore, if they be supplied by a dew distributione of what is provydit to that effect.

2d, Iff ther be a schooll in the parochine, and what incouragment ther is for a schoolmaster. 2d, What dilligence is used for moveing those who have children come to aige to put them to schoole. 3d, Iff any thing may be allowed to the schoolmaster out of the poores money for teaching the poor schollars. 4th, Iff the schoolmaster be blameles in his conversatione, faithfull and dilligent in his imployment. 5th, Iff he cause all his schollares learne the catechisme. 6th, Iff he enjoyne them to learne ane forme of prayer for morneing and evening, and blessing befor and after meate. 7th. Iff he chastise them for curseing, sweareing, lying, speaking profanlie, for disobedience to parents, and other vyces that appear in thame.

3d, Iff the fabrick of the church and mans be sufficientlie repaired. 2d, Iff he have a sufficient stipend, gleib, and grass, foggage, fewel, feale, and divot, conforme to the legall allowance. 4th, Iff ther be requirit outenseills and furniture for administratione of the sacraments, and ane inventur therof to be produced and keeped *in retentis;* that the minister, elders, and masters of families be interrogat what sins, errors and disorders doe most prevaill amongst the people, which by ther authoritie cannot overcome ; iff ther neighbours, these of ther familie and tennents, repair to the publict worship and dyets of examinatione ; and in caice it appear that anie are wanting in these things, that they be seriousle exhorted to use ther best endeavoures uith ther neighbours, and these under ther authoritie, to amend these defects, and that they assist the minister in crubing such vyces as are most prevailing amongst them, and they be desyred to engadge themselves therunto by ther promise.

The minister, elders, and masters of families, being present, That the

minister be exhorted to be dilligent and faithfull in all pairts of his office, and holie in all maner of conversatione that he may be ane example and patrone to the folk, and that he be requyred to renew his engadgements therto.

That the heritors, elders, and masters of families be exhorted to pray and read the Holie Scriptures in ther families, and excite ther children and servants to pray in secret, and that a promise be requyred of ther best endeavers in the exercise of discipline faithfullie to delate impartiallie all such scandalls as come to ther knowledge, and that they give seasonable advertisment of the conditione of the sick and poore, and that they be requyred to renew ther promise theroff.

That the heritors, magistrats of burrowes, and masters of families be exhorted to use ther authoritie for moveing the people and these of ther families to repair deulie to the publict worship of God, to attend the dyets of catechising, and to resort to the minister when he shall find it neidfull to call for them; that they be lykwayes desyred to give dew encouragment to the minister, and that by dew and seasonable payment of what is provydit to him by law for his mantainance, that he may be eased of the trouble of craving it or of a legall persuite for it, and of such other caires as attend on wants which are so distracting, and that in all these they sincerlie promise ther faithfull endeavoures.

That iff, after tryall, it appear that ther is no schoole, or no sufficient provisione for a school maister, that the fabrick of the church stands in need of reparatione, or anie necessarie and decent furniture for administratione of the sacraments be wanting, and that the ministers maintainance be unsufficient, or any of these accommodations allowed to him by law be uithholdin from him, that the heritors be seriouslie dealt uith: and, if need be, that other endeavoures be used for amendement of these defects.

Orders for the privat tryall and censure of ministers in ther respective presbitries.

1st, That it be gone about with the first conveniencie after everie synod, that on the presbitrie day immediatlie befor, advertisment be given evrie brother of the dyet thairof, and the absents be acquainted thairwith by the moderator, that, in the day appoynted for it, it be gone about befor other pairts of the discipline, and a competent tyme allowed

to it. That, befor they proceed further in it, the ordor for visitatione of churches be publictlie redd, and attentivelie listened unto by all, that a right sense of ther dentie be preserved in ther mynds.

That thairafter these interrogationis be proposed to evrie minister:

1st, If he be dilligent in prayer, reading the holy Scriptures, and such studies as help to the knowledge thairof, and serve for purifieing of his heart, and inflameing his soule uith a holy zeale and diligence in his employment, and ordoring his conversatione, and to enable him for stoping the mouthes of gainsayers. 2d, Iff he doe all faithfull diligence to disintangle himselffe from evrie thing that may unfitt him for the discharge of his ministrie, especiallie from excessive worldlie caires and distracting imployments. 3d, Iff he ordor his familie and evrie persone therin, so much as in him lyeth, that they may be examples to such as behold ther conversatione. 4th, Iff he mantaine and get fordward, als much as lyes in him, quyetnes, peace, and love, both among his people, bretheren, and all uther christiane people, especiallie among them that are committed to his charge.

Each minister being thus interrogated, and thairefter removed,

The moderator shall ask the rest of the presbyterie if any thing be knowin to any of them of ther brother or bretheren removed which they think fit to be imparted to the presbitrie. After all this, the moderator is in few words to exhort all to faithfulnes and diligence in all pairts of ther office; and that they be so faithfull and freindlie one to another, as to admonish one another privatlie when they sie cause; and that, when they meit uith such friedome, they faithfullie and kyndlie accept of it from one another; and that they lay hold on all occasiones to excite one another to zeale, faithfulnes, and dilligence, to all which each shall faithfullie engadge themselves.

Iff anie of the bretheren be absent from these tryalls, the nixt day that they are present the reasone of ther absence shall be strictlie examined, and unles it be found verie relevant they are to be rebuiked; and, however, they are to undergoe ther privat tryall and censure after the same maner uith the rest of ther bretheren, onlie it shall not be necessar to read againe in publick the ordor of visitatione of churches upon ther accompt, but onlie they are to be demanded whither of late they hade seriouslie pondered the samen; and to this effect evrie brother is to provyde himselfe of ane extract of the forsaid ordor for the visitatione of

churches, and for the privat tryall and censure of ministers, uith his first conveniencie, from the clerk of the presbitrie, for his privat use.

The which paper being publictlie red and seriouslie considered, after mature deliberatione was, by the vot of the synod, approvin and appoynted to be made use of in ther respective visitationes and privat censures.

21st Aprill, 1675.

The said day, it is ordored that at each paroch kirk uithin this diocesse ther be a charitable collectione for the releise of Walter Gibsone, skipper of the Marrie of Inverkeithin, and Johne Reid, his mate, who are prisoners uith the Turks in a miserable and painfull conditione, who are to be ransomed and releived uith no les then fyve or sex hundred dollars a peice; and this is recommendit be ane act of Privie Counsell, of the date at Edinburgh the fyft of November, 1674. The Presbyterie of Aberdene hath alreadie contributed to the effect forsaid, and that quhat shall be collected at each paroch kirk be given in to the respective moderators, and delyvered be them when called for to Captaine James Burnett at Inverkeithing, or at his ordor.

22d Apryll, 1675.

The said day, it is ordored that these presbitries that have not called the schoolemasters and chaplaines uithin ther bounds to tak the oath of alledgeance and the promise of cannonicall obedience, shall doe it uith the first convenience; and that a coppie of the said oath of alleadgeance and canonicall obedience shall be sent to each presbitrie, uith the referrs of this synod.

6th October, 1675.

The said day, it being represented by some bretheren that severall persones are found, who, in the tyme of ther publict professione of repentance for ther scandalls, doe relapse in the same or other scandalous sines, and yet uill still professe a uillingnes to submitt to discipline, whilest yet they continue (for ought that com be them) stupid and careles; its therfor thought fitt, that iff the presbitrie find sufficient evidence of these new scandalls or stupid carelesnes under professione of repentance, that, by ordor of the presbitrie, such persones publictlie, and by name, be pub-

lietlie debarred from the benefite of participating the sacrament of the Lords Supper; and for the more orderlie and uniforme way of performeing it, that this be done after the maner followeing:—In the name of our Lord Jesus Chryst, and at the command of the Churche, I declair A. B. to be unworthie to partake of the holy sacrament of the body and blood of Chryst, and thairfor, in name and authoritie forsaid, I solemnlie suspend him from fellowshipe uith the people of God in the Supper of the Lord, until he, upon his repentance, obtaine relaxatione from his dreadfull sentence; as lykwayes, I requyre all the Lords people to look upon him as suche, that he, being ashamed of his sine, may seriouslie lay it to heart, and humblie supplicat for absolutione.

Bot no minister is to think himselffe therby disobleidged from takeing care of or paines upon such persones, but even after the pronunceing of the sentence, the respective minister is to continue in the use of all fitt meanes for bringing such to repentance; and also it is thought fitt that none be relaxed from his censure untill they supplicat the presbitrie, being recomended to them by the sessione, which is also recommendit to the further consideratione of the bretheren, whether or not it might be found both ordorlie and edifieing, that, after convictione of any publict scandall, ther be some publict burding by censure, als weill as ther is ane publict absolutione; and they ar requyred to give in ane accompt of ther thoughts therin at the nixt synod.

And seeing the edificatione of persones by censures doeth much depend on the ordorliness and solemnitie of the censure, it is ordored, that no privat minister doe debarr any persone by name from the Lords Supper, for dishaunting of ordinances, neglect of catechising, or sicklyke, untill the matter be represented to the presbitrie, and the persone delinquent cited befor the presbitrie, that upon evidence of the guilt, they may judge of the expediencie of the censure, and give ordor for it.

7th October, 1675.

The said day, the bishop haveing found, in his revising the presbitrie bookes, that, at visitatione of the churches, divers things anent the churches and outinseills thairof have been recommendit to the minister and heritors, quhich are afterwards forgotten, no account thairof being requyred till the nixt visitatione of that churche; thairfor, the bishope, uith consent of the synod, appoynt and ordaine that whatsoever is recom-

mendit by anie minister or heritor at the visitatione of the churches, inquyrie shall be maid by the presbitrie at the nixt privie censure, what dilligence hath been used therin, and record taken thairof.

The said day, the lord bishope haveing inquyred of the bretheren, what fruite and advantage they found in getting about the privie censure in presbitries in the solemne and serious way recommendit by ordor of the synod; it was acknowledged that they found the said ordor verie usefull for begetting and mantaining one ther heart a sense of the deuties of ther calling; and it being represented that (sieing all other exercise and doctrine was laid asyde for that day) it would be for edificatione iff, besyde the breiff exhortatione of the moderator, one of the bretheren doe open up some scripture relating to ministeriall deuties, it wes ordored by the bishop, uith consent of the bretheren, that, in the day of the privie censure, one of the bretheren (haveing been thairto appoynted by the presbitrie) shall preach from some scripture suitable to the purpose in hand, and that *per vices*, that so they may edifie one another, and mutuallie excite one another to the conscientious discharge of the deuties of ther calling; and that the lenth of the sermone hinder not the rest of the work, that it doe not exceed halfe ane houre.

The said day, it is ordored that the severall ministers shall recommend to the heritors and kirk sessione to take some effectuall course for supplieing the poor of ther own respective parochines that so they may not be burdensome to other congregationes; and that they give ane account thairof to the respective moderators, and the moderators to the lord bishop, betuixt and the first day of January nixt.

7th October, 1675.

The bishop and bretheren of the Synod haveing consulted the presbitrie book of Aberdeine, and the late visitatione of the church of Kinnellar therin contained, and it being found thereby that the people of that congregatione hade long suffered great prejudice, not only by ther pastor, Mr. John Merser, his bodilie infirmitie, which hath continewed this divers yeiris bygone, in all which tyme they have bein destitute not only of the benefite of catechising, but also through the long want of the ordinance of the Lords Supper, which hath not been celebrat amongst them this

fyfteine yeiris bygone and more. The bishope and synod, considering the said Mr. John his present weak and sicklie conditione, thought fitt to appoynt Mr. George Meldrume, minister at Aberdeine, and Mr. Hendrie Scougall, professor of divinitie at Old Aberdeine, to go to the said Mr. John Mercer, and to acquaint him uith ther deep resentment of the sad conditione of that congregatione, and requyre him now at last to provyde ane authorized and qualified man to assist him in the ministeriall work ther, and to send ane account of his dilligence therin to the Presbitrie of Aberdeine befor the first of December nixt to come, and to show him that iff he failie therin, the bishop and Presbitrie of Aberdeine will goe one in proces against him.

The said day, ther being divers complaints and regraitts given in to the Synod be severall bretheren, that some, under pretence of trances or familiaritie uith spirits, by goeing uith these spirits commonlie called the fairies, hath spoken reproachfully of some persones, whairof some are dead and some living, it is recommendit be the lord bishop and synod to the presbiteries and ministers interested, carefully to endeavor the suppressing of that seductione by warneing the people of the danger of it, and calling befor them the seducers; and if the seducers be *compotes mentis* to proceed in censure against them, and lykwayes against the consulters, if after admonitione publicklie given, they forbear not such practises, or to vent and spread such reproachfull speeches, whairof the seducers are the authors.

19th Aprill, 1676.

The said day, it being represented to the lord bishop and synod that ther are thrie noblemen of his Majesties Privie Counsell commissionat and empowered to meet at Ellon on Tuesday nixt, being the tuentie nynt of this instant, to notice the conventicles of Quakers, Non Conformists, and Papists, and finding it necessar that some bretheren be sent to attend the said meetting of these noblemen, and give information of these who are guilty of tresspassing after that maner, the lord bishope, uith consent of the synod, does for this end ordaine master Arthour Strachan at Morthlick, Mr. Johne Hay at Rathven, the Moderator of Ellon, the Moderator of Turreff, the Moderator of Deir, and failing of him Mr. Robert Bruce at Deir, and Master James Gordone at

Banchorie, to keep the said meeting of the said noblemen upon advertisment from the bishop, and to be readie to give informatione so far as they know or shall be enquyred.

19th Aprill, 1676.

The said day, the lord bishop and bretheren of the conference haveing taken to ther consideratione the straittis and necessities wherunto the relicts and childerene of several ministers are redacted many tymes, and finding how commendable and charitable a work it would be to contribute for the supplie and honest maintainance of such, especiallie sieing (besydes the commone motives of charitie,) the credite of ministers is neerlie concerned heirin, did therfor fall upon ane overture for that effect, viz.: That evrie minister within this diocesse should give in yeirlie the hundreth penny of ther yeirlie stipend, to be employed for the end above mentionat, and after the manner as shall be afterward condiscendit upon. Which overture being publicly proposed to the synod, it was cordiallie approvin of and intertained by them; and the cattalogue of the ministers names being called, the lord bishop and all the bretheren present did particularlie, and by name, consent to the same, and engadge themselffs therto, except one, Mr. John Irving, who was *non liquet*. And sieing the particular method of collecting and imploying the said contributione could not be at present so fully condiscendit upon, as requyring more mature deliberatione, thairfor the bishop and synod did recommend to Mr. John Menzeis, and Mr. Hendrie Scougall, professor of divinitie, Mr. George Meldrum, minister at Aberdene, Mr. James Gordone at Banchorie, Mr. Adam Barclay at Keig, with anie others whom they shall think fitt to adjoyne to themselffs, to think upon some proposals wherby the said overture may be rendered more effectuall and practicable; and to give in ther thoughts theranent with the first convenience, to be transmitted to the severall presbitries, that the respective bretheren may be acquanted therwith, and give in ther judgment theranent at the next synod

12th October, 1676.

The first moyetie of the foresaid charitable yearlie contributione is ordered to be brought in the nixt synod, and Master George Meldrume, minister at Aberdeine, is appoynted collector therof, to whom also it is re-

commendit to procure the subscriptiones of these who hes not as yet subscryved.

The said day, it being found too frequentlie, in manie congregationes, that some persones doe withdraw from the sacrament of the Lords Supper, when it is celebrat in the parish, upon the profest accounte of ther variance and discord with ther neighbors, which yet they refuise to remove by a freindlie reconciliatione, upon reasonable termes, and that such persones appear to be more hardened in that unchristian and uncharitable practise, in regaird no publict censure have been made use of against them for the same hitherto: It is, therefor, ordored by the bishop and synod, that when anie, after paines taken to convince them of the sine and danger of such ane unchristiane practize, doe refuise to be reconciled with ther neighbour upon reasonable termes, that ther presbyterie be acquainted with it, and they cited before them; and if they shall refuise to be reconciled, as said is, that the presbyterie give ordor to the minister of the place to sentence them, with the lesser sentence of excommunicatione, according to the form preserved by the bishop and synod.

The said day, it is ordored that ane solemn fast and humiliatione be keepit throughout all this diocie, in each parochine, for ane blessing from God upon the ensueing seed seasone, upon the last Wednisday of February nixt.—

25th April, 1677.

The said day, it is appoynted that if anie persones shall recept strangers from another parioch, they who recept them shall give notice of the saids persones to the minister of the parioch wher they are recept, within fourteine dayes after ther coming thither; and if anie shall conceall persones for the said space, unacquainted the minister, as said is, or if the persones concealled by them be found afterward to be scandalous, the persones receptors of them shall be censured by a publict appearance befor the congregatione.

26th April, 1677.

It being found, in visiting the presbitrie book of Ellon, that ther has been some difference amongst the brethren of that presbitrie anent the

tryalls of Mr. George Mill, preacher of the gospell, in order to his entrie to the ministrie at Ellone, the bishop did therupon represent that he had called a meeting of some brethren uith the presbitrie of Ellone, for cognosceing in that affair, upon the thirtie-first of January last. The account therof is as followes :—

Att Old Aberdene, January 31, 1677.

The quhilk day, the bretheren of the presbitrie of Ellon, togither uith severall of the bretheren nominat at the last synod for the privat conference, being mett uith the bishop upon advertisment, after prayer, the bishop did signifie unto them, that he haveing been informed that the tryalls of Mr. George Mill, before the presbitrie of Ellone, in order to the ministrie at Ellone, had been much delayed, he had sent a letter to the said presbitrie, desyreing to know ane account of ther diligence herein, and that if ther wer any differences among them anent the said Mr. George Mills tryalls, they should let him know what they wer, and what wer the particular grounds theroff, wherupon the said presbitrie had sent in a return to him thairoff by concert, the tenor thairoff is as followes :—

Ellone, 2d January, 1677.

May it please your Lordship,

Having received a letter from your lordship, desyreing ane account of our dilligence, and opinion concerning Maister George Mill his tryalls, in obedience quhairunto, this day, all our number being mett, except Mr. John Strachan, who is south, the said Mr. George did undergoe the questionarie tryall; and, he being removed, the bretheren gave ther opinion of this and all his former tryalls, as followes: Maister George Buchan declaired that he judged him sufficiently qualified for the ministreie at Ellone, and was cleer to recommend him to your lordship for admission thereto. The ministers of Crowden, Foverane, and Methlick, declaired, they could not recommend him as one fitt for the ministrie at Ellone, both in regard they judged him not sufficientlie qualified for that place, as also in regard of the universall aversion of all the heritors and bodie of the people so frequentlie testified, as, particularly, at his admission to tryall, and also this day, by the compereance of Achterellone and Fechill, in name of the rest of the heritors and parochiners; which oppositione, to our certain knowledge, doth not proceed from any dissatisfactione to the government, but from an earnest desyre to have the place well setled.

The minister of Slaines declairs that ther wer but few poynts of tryall

quhich he had heard, quhairin he conceived the said Mr. George gave ordinarie satisfactione, however, in regard of the greatnes of the charge, and constant universall aversion of the heritors and bodie of the people, he doth not judge him so qualified as in conscience he can recommend him for institution to that charge. The minister of Udny approved of such tryalls as he formerly heard, but declairs that he had not this day so great satisfactione as before; howevir, he thinks him one of ordinarie qualificationes. But, becaus of his unacquaintednes with the charge and people of Ellon, he will not take upon him to recommend him to be minister thair. What further did occurr this day, the bearer will informe your lordship more fullie. This, with our dutie and respects presented to your lordship, is all at present from your lordships most affectionat sons and humbles ervants, *(sic subscribitur,)* Mr. George Andersone, A. Leask, Jo. Ross, W. Fraser, Al. Buchan, J. Cockburn.

And, seing that ther wer some differences among the brethren of the said presbitrie anent the said Mr. George Mill his tryalls, he had also thought fitt to advertise the bretheren of the privie conference to keep this meeting, for giving their advyce in that affair. And, becaus that all the bretheren of the said presbitrie had not, conforme to an act of the last synod, given thir judgement particularlie of every one off the said young mans tryalls, and the reasons theroff, therfor he had sent advertisement to the bretheren of the said presbitrie to keip this meiting, for giving more full and particular informatione in this affair, and ther judgment anent the said Mr. George Mill his tryalls.

But, becaus much of the forenoon was now spent, therefore the bishop resolved to adjourne this meeting till the afternoon, quhairupon it was reported that ther wer some of the heritors of the Parioch of Ellone without, desyreing to be heard; who, being called, compeered Collonell Foulertone of Dudweck, Robert Udny of Auchterellone, John Gordone, younger of Fechill, and Collonell Foulertone, in name of the rest, and, as he alleadged, in name of others, the heritors and parochineris of the said parish, protested that ther should not be any further procedor in the matter anent the kirk of Ellone at this meeting; 1st, becaus they wer not certaine whether the said kirk was yet vacant or not; 2d, becaus ther was a lybell given in against Mr. George Milne, and presented to the Presbitrie of Ellone, and as yet depending before them, quhairunto they did adhere; as also, becaus the Presbitrie of Ellon had de-

claired the said Mr. George Mill utterlie insufficient for that charge. and therupon did appeall from this meeting to the bishop and synod. Unto the quhich protestation the bishop did reply, that, as for the vacancie of that place, he should be anserable; and, as concerneing the lybell quhich was given in to the Presbitrie of Ellone, it was not as yet subscribed by any persone, but if they had any subscrived lybell to give in against the said Mr. George Mill, it should be received from them in the afternoon. And, as concerneing the pretended judgement anent the said Mr. George his tryalls, they wer to take that into consideratione; quhairupon the meeting was continued untill tuo oclock in the afternoon.

Session 2d. *Post Meridiem.*

The bretheren being mett more frequentlie than in the forenoon, Mr. James Gordon, Mr. Patrick Sibbald, Mr. John Menzies, and Mr. Hendrie Scougall, professors, Mr. George Meldrum, minister at Aberdeine, Mr. Robert Reed at Banchorie, Mr. George Melvill, Mr. Adam Barclay, Mr. James Strachan, Mr. Alexander Mowat, Mr. Andro Skeen, Mr. George Garden, togither uith the haill Presbitrie of Ellone, except Mr. John Strachan and Mr. John Ross, the bishop did resume before them what he had spoken in the forenoon anent the occasion of calling this meeting.

Whereupon there was presented a testificat granted formerlie by the Presbitrie of Ellone to Mr. Georg Mill, the tenor quhairof is as followes:

Wee, undersubscriveris, the moderator and remanent brethren of the exercise of Ellone, do by thir presents testifie and declair to any whom it may concerne, that the bearer hereoff, Mr. Georg Mill, student of divinitie and preacher of the gospell, hath been, dureing the tyme of his residence among us (about the space of seven yeers, or therby), off a pious, sober, orderly, and unblameable deportment, for ought wee ever could learn to the contrair, and that dureing the said tyme he hath, in his vice, given publick specimen of his proficiencie in the studie of divinitie by handling of controversies, and haveing the exercise and addition before our presbieteriall meetings, and also preaching, as he was employed in severall of our pulpitts to our no small contentment and satisfaction, so that we conceive he may, by the Lords blessing, prove a hopefull and usefull instrument in the work of the ministerie, whensoever and wheresoever it shall please the Lord to grant him an orderly entrance therto. In testimonie quhairoff, we have subscrived thir presents at the respec-

tive places of our residence (not haveing at this tyme the opportunity of meeting togither at the ordinarie place of our exercise), upon the sixteenth [ ] dayes of June, in this present year of God, m vi^c three score and sixteen yeers. *Sic subscribitur.*

Jo. Strachan, Mod^r.	A. Leask.
Mr. Georg Anderson.	G. Buchan.
Jo. Ross.	Wil. Fraser.

Which testificat being read publicklie, the brethren of the Presbitrie of Ellone did acknowledge and own, but uithall alleadged that it was not given by them being presbyteriallie mett; and that lykewayes some of them at the subscriveing of it had particularlie enquyred of the said Mr. George, if he did demand it in ordor to the kirk of Ellone, which was then vacant, quhich he did altogether deny, and told that he was to remove out of their bounds, and therefor requyred the said testimonie from them.

The bishop and bretheren of this meeting thought fitt for their further cleering anent Mr. Georg Mills tryalls, that the bretheren of the Presbitrie of Ellone should assigne the reasones of ther approving or disapproving of the said Mr. Georg; and therefor, Mr. Alexander Leask, minister at Crouden, being enquyred the reasones for quhich he judged Mr. Georg Mill unqualified for the kirk of Ellone, replyed, that at present he was not cleer to giv them, but in privat he would do it to the bishop. Mr. Georg Anderson being in lyke maner enquyred, declaired that he was not satisfied uith his popular sermon in regard of the mater and method, nor yet uith many of his ansers to the questions that wer proposed to him at hes questionarie tryall, and particularly to these quhich wer proposed by Mr. John Cockburn.

Mr. William Fraser being in lyke maner enquyred, declaired that the reason why he could not recommend the said Mr. George Mill for ordination to the kirk of Ellon is the unanimous opposition quhich the heritors and all the bodie of the people made to his entrie to that charge. Mr. John Cockburn being enquyred, gave in his judgement as he had done formerly in the letter to the bishop, and lykewayes gave an account of such questions as wer proposed to the said Mr. Georg Mill at his questionarie tryall, and of the ansers the said Mr. Georg gave therunto, uith quhich he was not so well satisfied.

Mr Georg Buchan being enquyred, declaired that the ground why he

did approve of the said Mr. Georg Mills tryalls was the satisfaction quhich he had given in all his tryalls as ordinarlie others uses in the lyke caise to give; and that he was particularlie privie to much of his deportment in his lyfe and conversation as being a residenter in his parish of Logie; and that the said Mr. Georg Mill had preached sometymes in his church, and given satisfaction to all his hearers.

Mr. Alexander Leask and Mr. Georg Andersone being further interrogat, whither they judged the said Mr. Georg Mill qualified for the ministrie in any lesser churche than Ellone, they replyed that they wer not cleer to give ther judgement theranent at present, and therefor desyred a further tyme to anser to this poynt.

Mr. William Fraser being interrogat, declaired that he thought Mr. Georg Mill qualified for a lesser charge than Ellone, wher the people wer satisfied.

Mr John Cockburn being interrogat, declaired that he judged him of such ordinarie qualifications as that he could not be altogither rejected from entring into the ministrie.

This meeting is continued until to-morrow at ten a clock in the forenoon; and it is appoynted that Mr. Alexander Leask giv in his reasones against that tyme to the bishop, why he was not cleer to approv Mr. George Mills tryalls, and recommend him for ordination; as also, that both the said Mr. Alexander Leask and Mr. Georg Anderson give in ther judgment positivly whither or not they think the said Mr. Georg Mill qualified to enter into the ministrie in general.

Session 3d. February 1, 1677. *Ante Meridiem.*

This day, the bretheren being mett, after prayer the bishop did signifie unto them that Mr. Alexander Leask and Mr. George Anderson had been speaking with him, and had given ther reasones why they wer not free to approv Mr. Georg Mills tryalls in order to the kirk of Ellon, and that Alexander Leask had told that he was dissatisfied uith Mr. Georg Mills exercise and addition, becaus that wheras the one pairt of that tryall is for cleering of the word and resolveing such questions and doubts as did aryse therefrom, yet the said Mr. Georg had tutched none of these questions, but onlie said in generall that ther wer severall doubts which did aryse from the words quhich at present he could not insist upon, and insisted for the most pairt in explaining the ambiguitie of

one word in the text, and in the additionall pairt of the tryall he had insisted upon things which were not of such weight and moment; and that the said Mr. Alexander said lykewayes that he was dissatisfied uith severall particulars in his questionarie tryall, and that he had taken occasion to ask the said Mr. Georg concerning some of the Quakers controversies, by reason that the parioch of Ellone is infested uith that heresie at present, and is lyke to spread more therein, if ther be not a minister setled in that place who is seen in ther controversies, and also to refute them: And that the said Mr. Georg being enquyred anent objective and subjective revelation he did ascrive that unto the Quakers which we maintain, and that unto us which the Quakers do maintain: and after discoursing further anent the Quaker controversies, the said Mr. Georg did declair that he was not acquainted uith ther principles, neither knew quhair to find them; and that the said Mr. Georg being enquyred about the opinions of the familists could give litle or no satisfaction theranent. The bishop did lykewayes declair that he had requyred the said Mr. Alexander Leask and Mr. Georg Andersons judgment anent the said Mr. Georg Mills qualifications in order to the ministrie in generall, or to any other charge lesser than Ellon; that Mr. Alexander Leask had told that possiblie ther might be some in the ministrie alreaddie who are not of more eminent qualifications then the said Mr. Georg, but that he was not cleer to recommend him or any other to enter upon the ministrie as things do now stand, except that they wer found sufficientlie qualified for the ministrie in any place quhatsumever, by reason that he who is once entered upon the ministrie in a meaner charge may be presented by a patron to a greater, and can hardly be rejected. Mr. George Andersone told that he thought the said Mr. Georg Mill ordinarlie qualified for entering into the ministrie in generall, but protested that this should no way militat against him in reference to his judgment which he had formerlie delivered anent the said Mr. Georg Mill his qualifications in order to the ministrie at Ellon. The bishop and bretheren, considering Mr. Alexander Leasks declaration relaiting unto the said Mr. Georg Mill his failing anent the Quakers controversies, thought fitt for ther further satisfaction to call in the said Mr. Georg and propose unto him some questions anent the Quakers principles, to the quhich the said Mr. Georg, when interrogat, gave the ordinarie usuall ansers. And becaus the said Mr. Alexander Leask had excepted

against the said Mr. Georg his exercise and addition, therfor the said Mr. Georg told that upon that same day on which he had the exercise befor the presbitrie, he did instantlie after his delivering of it in publick consigne his papers quhairin it was written in Mr. John Strachan their moderators hand, that when the bishop or others thought fit to call for it it might be in readdiness, but that at present he could not command it, the moderator being at Edinburghe. It was lykewayes thought fit that, seeing Mr. Georg Andersone was dissatisfied uith his popular sermon, therefor the said Mr. Georg Mill should read the sermon as it is in his papers, and he having declaired that he had delivered the same before the presbitrie as it is in his papers without any material alteration, he did read the same in audience of the bishop and bretheren present. And afterward the said Mr. Georg Mill being removed, and the brethren of Ellon declaring that, after reading of the said sermon, they could observe no materiall alteration therin from quhat he had delivered before them in publick, the bishop desyred of Mr. Georg Andersone quhat was now his judgment anent that sermon, and he told that he persisted in his former thoughts theranent. The bishop haveing also desyred to know the thoughts of the rest of the bretheren present, they all told that they were satisfied uith the said sermon. The meeting is continued untill the afternoon.

Session 4th. *Post Meridiem.*

The bishop and bretheren, being mett, it was thought fit that, becaus some others of the Presbitrie of Ellon wer dissatisfied with his ansers at his questionarie tryall, therefor the said Mr. George Mill should be called in, and enquyred anent some questions in divinitie, quhich ordinarlie all ministers, and such as ar looking that way, are oblidged to know; and the said Mr. George having accordinglie undergone a considerable tryall, both in positive and polemick divinitie, and in church historie, and such of the Presbitrie of Ellon as wer present (Mr. Alexander Leask being absent, *item* his session; and Mr. George Andersone and Mr. William Fraser being necessarlie uithdrawn,) being enquyred their judgment anent the said tryall, Mr. George Buchan professed that he was more confirmed in his former thoughts anent the said Mr. George. Mr. John Cockburn declaired that he was satisfied with his ansering now, quhich made him apprehend that his failure in his questionarie tryall before the

presbitrie did proceed from some discomposure, especiallie he having travelled on foot the most pairt of the night before. Thereafter, the rest of the bretheren of this meeting being enquyred, declared that they wer satisfied with his ansers.

The bishop and bretheren considdering the whole matter, and finding that the bretheren of Ellon had formerlie given such an ample testimonie to the said Mr. Georg, and that none of them had excepted against his tryall in the languages and catachetick divinitie, nor against his exegesis and dispute therupon, and that none had exeepted against his exercise and addition but Mr. Alexander Leask, and that the said discourses had been consigned *in scriptis* in the hands of the moderator immediatlie after delivering theroff in publick to be presented to the bishop and examined if need wer, and that none had excepted against the popular sermon but Mr. Georg Anderson, and that the same had been read this day in hearing of the bishop and bretheren present, and that Mr. John Cockburn had declaired himself more fullie satisfied anent his questionarie tryall at this tyme; therefore, the bishop haveing the unanimous advyee and consent of the bretheren now mett, declaired that he saw no ground to stop the serving of an edict after the next dyet of the presbitries meeting, in order to the said Mr. George Mill his entrie to the ministrie at Ellon, iff ther be no subserived lybell given in against him betuixt and that tyme: but uithall, if the patron and heritors of that parioch could fall upon any accommodation which should not be prejudiciall to the interest of the church, that he would verie gladlie accept of the same.

After reading of the foresaid account, it was represented that, since the foresaid meeting, there had been a subscrived lybell given in to the Presbitrie of Ellon by some of the heritors and parioehiners of Ellon against Mr. Georg Mill, and that the said Mr. Georg had lykewayes given in his ansers to the said lybell, and that the whole matter was referred to the bishop and synod; quhairupon the said lybell being read before the bishop and bretheren of the conference, togither uith Mr. Georg Mills ansers therunto, it was resolved that the whole matter should be continued untill the second Wednesday of June nixt, att which dyett the bretheren of the conference are appoynted to keep a meeting uith the bishop at Old Aberdeine for examining that affair eoncerneing Mr. Georg Mill, and any other business referred till then; and it is appoynted that the subscrivers of the said lybell be eited to compeer and adduce uit-

nesses for proving the same at that meeting, uith certification if they compeer not that they uill be held to have deserted their lybell *simpliciter*, and precepts are to be issued forth by the bishop for citeing both pairties and uitnesses as said is; and the approbation of the presbitrie book of Ellone is continued till the nixt synod, and the lybell given in against Mr. Georg Mill, with his ansers, ar appoynted to be keept by the clerk *in retentis*.

Att the Bishops Lodging at Old Aberdeen. June 13, 1677.

The quhilk day, being conveened conforme to an act of the last synod, the bretheren of the privie conference then named, togither also uith the bretheren of the Presbitrie of Ellon, after prayer the bishop did represent that, in order to the examination of the lybell given in by the heritors of the parish of Ellon against Mr. Georg Mill, he had issued forth precepts for summoning the pairties subscriveris of the said lybell, viz.: Colonell Foulerton of Dudweck, Robert Udny of Achterellon, John Gordon, younger of Fechill, and James Gordon, chamberlain to the Lady Dowager of Erroll, and for citeing the said Mr. George Mill and the tutor of Wattertoune; as also that he had directed furth precepts to the said lybellers, for citeing such witnesses as they alleadged for proving the severall articles of ther lybell: and the executions of the foresaids precepts being given in under the hands of William Gauld and Gilbert Philip, officers in that pairt, the foresaid pairties were severally called, and of the lybellers foresaid compeered onlie Collonell Foulerton of Dudweck and Robert Udny of Achterellone. Compeered also, being called, Mr. Georg Mill. Thereafter, the bishop and bretheren present haveing found that the other tuo subscrivers of the lybell against Mr. Georg Mill had neither compeered themselves nor sent any excuse of their absence, although they had been cited uith certificatione that if they did not compeer they would be held to have deserted their said lybell *simpliciter*; therefor the foresaid tuo lybellers, viz., John Gordon, younger of Fechill, and James Gordon foresaid, wer judged to hav deserted their lybell *simpliciter*, conforme to the certificat given in their summones: Wherupon the other tuo subscriveris of the said lybell did signifie to the bishop and brethren now mett, that as they were come in upon citation before this meeting, so they wer come especially uith purposes of a friendly accommodation anent the planting the kirk of Ellone.

Att the Bishops Lodging at Old Aberdeine. July 24, 1677.
Post Meridiem.

The quhilk day, the bishop and bretheren of the conference being mett, togither uith the bretheren of the Presbitrie of Ellone, conforme to the appoyntment made at their meeting in June last, after prayer, it being found that, at the meeting foresaid in June, it was ordained that such of the heritors of the parioch of Ellone as had subscrived the lybell against Mr. Georg Mill, and were present at the last meeting, should attend this day preciselie be tuo a clock in the afternoon, and they had been cited *apud acta* to this dyet uith certification, as the act at that dyet doth bear, and were appointed to cite uitnesses *de novo* for proof of their foresaid lybell, accordinglie the foresaid lybellers wer called, viz., Collonell Foulerton of Dudweck and Robert Udny of Achterellone, but neither of them did compeer, nor any in their name; and Georg Mill being lykewayes cited *apud acta* to this meeting, and called, did compeer. But the bishop and bretheren considering that although ther wes no report come from the heritors of Ellone this afternoon, yet ther might possiblie some account be sent from them against to-morrow, did therefor think fitt to continue the whole affair untill to-morrow at nyne aclock in the forenoon; and Mr. Georg Mill is cited *apud acta* then to appear.

25th July, 1677. *Ante Meridiem.*

The bishop and bretheren being mett, after prayer, the affair depending against Mr. Georg Mill being brought into consideration, the bishop caused read the precepts issued forth before the meeting in June last, for summoning the subscrivers of that lybell against Mr. Georg Mill, togither uith the executions theroff, as also the act past at the meetting anent the said lybellers. After reading of quhich, compeered John Gordon, younger of Fechill, and told that he was commissionat by the heritors and parochiners of Ellone, and desyred to make excuse for Collonel Foulertone his absence, he being at the present detained at home by his wyfes seiknes; and the said John Gordon did, in his own name, and, as he alleadged, in name of the heritors and pariochiners of Ellone, desyre that ther might be a new dyet appoynted unto them for proving their said lybell against Mr. George Mill, and that new precepts may be issued forth for summoning uitnesses for that effect. Quhairunto the bishop did reply, that, as for tuo of the subscrivers of the said lybell,

viz., the said John Gordon of Fechill, and James Gordon, they had been cited to the meeting in June, with certification, if they did not compeer, that they would be judged to have deserted their said lybell *simpliciter*: and, therefor, wer decerned to have deserted their lybell *simpliciter* at the forsaid dyet, they neither having compeered then nor sent any excuse of their absence. And, as to the other tuo, viz., Dudweck and Achterellone, they wer cited *apud acta* at the last meeting in June, to compeer before this meeting, with certification forsaid; and appoynted to cite uitnesses *de novo*, for proof of their lybell; and they not compeering at this dyett, neither haveing cited uitnesses to appear, that did look in them lyke a deserting of the dyet. And, whereas the said John Gordon alleadged a commission from them, the bishop desyred that he might instruct his commission under ther hands; but he replyed, that, as for Dudweck, he could have no commission from him, he being at South; and, as for Auchterellone, he alleadged that he had a verball commission from him, altho not a wreitten one. And therupon the said John Gordon did take instrument in the hands of Georg Kilgour, notar publick, and removed himself *instanter*. The bishop and bretheren present, taking into ther consideration the whole affair relaiting to the lybell given in by the heritors of Ellone against Mr. Georg Mill, and finding that, altho the subscrivers of the said lybell had been cited to compeer before the bishop and bretheren mett for examining the same, upon the 12th of June last, with certification, that, if they did not compeer, they should be held to have deserted their said lybell *simpliciter*, yet tuo of them, viz., John Gordon, younger of Fechill, and James Gordone, chamberlaine to the Lady Dowager of Erroll, had neither compeered nor sent any excuse of their absence; and, altho the other tuo subscrivers of the said lybell, viz., Dudweck and Achterellone, did compeer before the said meeting in June, and intreated for a new dyet to be granted to them for proving the said lybell, and they had, there upon, been cited *apud acta* to compeer before this meeting upon the 24th of this instant, be tuo oclock in the afternoon preciselie and wer appoynted to cite uitnesses *de novo* against the said dyet, yet the said tuo lybellers, being called, did neither compear nor send any relevant excuse of their absence, neither had adduced uitnesses for proving their lybell, nor once requyred any precept for that effect from the bishop. And also, that this day John Gordon, younger of Fechill, had compeered, and told that he was com-

missionated by Robert Udny of Achterellone, and others of the pariochiners there, to desyre in their name a new dyet for examining the said lybell. and new precepts for citeing uitnesses; yet, being desyred to instruct his commission, he could not do, but alleadged a verball commission onlie: therefor the bishop and bretheren, after mature deliberation upon the haill premisses, having put the mater to a voice, did judge that the said lybellers should be looked upon as having deserted their said lybell *simpliciter*. And, Mr. George Mill being called in, the bishop did accordinglie intimat unto him the judgement of the meeting, and appoynted the clerk to giv him an extract hereoff when requyred.

10th October, 1677.

It is appoynted that the bretheren nominat at this synod for the privie conference, togither uith Mr. John Menzies, professor, shall be in readdiness upon advertisement to keep meetings uith the bishop betuixt and the nixt synod; and that Mr. Robert Burnet at Rain keep the said meetings, in caise that Mr. Alexander Ross at Monymusk be necessarlie hindered.

17th Aprill, 1678.

It is recommended to the severall moderators to be cairfull in calling to an account the bretheren uithin ther bounds, iff they do celebrat the sacrament of the Lords Supper uithin their respective congregations at least once each yeer; and that, conforme to an ordinance of the former synod, they requyre such ministers as hav not given the Communion as said is to make furthcoming what is condescended upon by law for provyding communion elements to be imployed for pious uses.

9th October, 1678.

It is recommended to the severall bretheren uithin this diocess to make search if ther be any uithin their respective charges who are about the sending of their children out of the countrey to popish colledges, and to give notice theroff tymouslie to the bishop.

10th October, 1678.

This day, the bishop did represent to the brethren of the synod that the professor of divinities place in Old Aberdeine being now vacant

thorow the decease of Mr. Henrie Scougall, lait professor ther, it wes expedient that some course should be fallen upon at this tyme for filling of the said vacancie uith an able and qualified persone; which the bretheren of the synod (after ther expression of the sense they had of that loss which the Church doth sustain by the removal of the said Mr. Henrie) taking into ther serious consideration, did approve of the motion made by the bishop, and judged it fit that they should proceed to a present nomination and election; and finding that the old registers of the synod, which did containe the way and method of electing the professors of divinitie in former tymes, could not at present be had, it was overtured that the election at this tyme might be gone about after this method, viz., by the bishops nominating a man to the synod, and the brethren by ther voices declairing if they did accept or not of the man named by the bishop; wherupon the matter being put to a frie voice of the synod, it was thought fit that the foresaid method proposed should be followed *pro hoc vice* allenerlie, and uith this speciall proviso, that this way taken at present, and condescended unto by the bishop and synod, should in no wayes be a preparative in any tyme coming, or hinder the prosecution of any other method that shall afterward be fallen upon by the bishop and synod; and uithall, that ther might be some persones appoynted to think upon a method of electing the professor of divinitie in the Kings Colledge in tyme coming.

Whereupon the bishop did name and propose to the synod Mr. John Menzies, present professor of divinitie in the Marishall Colledge at Aberdeine, and the said Mr. John being removed, the bishope did desyre that the names of the bretheren of the synod might be called, and that they would deliver ther mynd in order to the said Mr. John, iff they did approve of the nomination, and accept him to be professor of divinitie in the Kings Colledge at Old Aberdeine: Which accordingly being done, and the matter put to a free voice of the synod, the bretheren did unanimously approve of the nomination, and did accept, elect, and choise the said Mr. John Menzies to be professor of divinitie in the Kings Colledge as said is, and to enjoy the whole fruits, profits, benefits, and emoluments belonging to the said place. And therupon, the said Mr. John being called in, the bishop did intimat unto him the mynd of the synod, as is above specified: And the said Mr. John, after a thankfull resentment of

the bishop and synods respects towards him, did earnestlie intreat that ther might be a whyles continuation granted unto him for speaking with the magistrats of Aberdeen, and those among he had hitherto borne charge, before he could be free to give his anser positivlie, whither he could accept of the foresaid charge of being professor in Old Aberdeine, which accordinglie was granted unto him; and he was appoynted to giv his anser theranent positivly to the bishop once betuixt and the last day of November nixt in this present yeer, 1678.

This day, it was represented that there is a flagrant scandall and *fama clamosa* of an symoniacall paction supposed to have passed betuixt Mr. Alexander Leask, minister at Turreff, and Mr. John Lumsden, student in divinitie at Aberdeine, in order to the obtaining a presentation to the said Mr. John to the kirk of Marieculter. Whereupon Mr. Alexander Leask, being present and interrogat upon the premisses, told that he had done nothing in that affair under board, and that although there had been a condescendance betuixt him and the said Mr. John, yet it was but conditionall, iff so be the bishop should be satisfied therwith, and that now there is no standing compact betuixt them concerneing that church, it is thought fit by the bishop and synod, that by reason the said Mr. John is not present at the synod to anser, but is in town, therefore the matter be continued untill to-morrow at nyne oclock in the forenoon; and Mr. Alexander Leask is cited *apud acta* ther to appear; and in regard that Mr. John Lumsden had offered and undertaken to the bishop and Presbitrie of Aberdeine to cleer himself anent any such compact quhatsoever, the bishop should requyre him therunto; therfor it is appoynted that John Ross, synod officer, do summones the said Mr. John to compeer before the bishop and synod to-morrow at nyne oclock to anser in order to the said affair, with certification.

October 11, 1678.

The bishop and synod considering that Mr. James Gordon at Banchorie, and Mr. Alexander Leask, had uttered some unbeseeming and passionat expressions yesternight, the one against the other, in face of the synod, therefor both the said bretheren wer rebuiked publickly for the same.

Anent the affair concerneing Mr. Alexander Leask and Mr. John

Lumsden, Mr. Alexander Leask being present did alleadge that ther wer some persones in the synod who had, out of malice and rancor purposed to render Mr. John Lumsden incapable of entering into the ministrie, and himselff incapable of continueing therin, and did therupon *instanter* appeall from the bishop and synod to the Archbishop of St. Andrews his grace. The bishop desyred that the said Mr Alexander might instruct the persones whom he alleadged to be his enemies, and if they were found to be such they should be removed from sitting as judges in this affair, but the said Mr. Alexander replyed that he should do it in the process; whereupon the bishop did declair that the said appeall was made uithout any just gravamen. Mr. John Lumsden, student in divinitie, being cited to this meeting to anser in the said affair anent the kirk of Maryculter, did send in a paper to the bishop and synod, subscryved uith his hand, which he called an appeall, wherin he did declyne the judgeing of that matter of a symoniacall compact made by him uith Mr. Alexander Leask, parsone of Turreff, for a presentation to the kirk of Marieculter, and that uithout ever once appearing before the bishop and synod, or haveing any just ground of gravamen, notuithstanding that he had formerly engaged to the bishop and Presbitrie of Aberdeine to compeer for that effect, whensoever and whersoever he should be called therunto; whereupon the bishop haveing taken this contempt to his serious consideration, did, uith the advyce of the bretheren, ordaine that for silenceing the said Mr. John from preaching, his licence should be called in, and by thir presents does recall it. The bishop and synod, finding that, for the more speedy and orderly dispatch of this affair, it wer needfull that one of ther number should be commissionat to go to the primat for representing of the whole matter to his grace, and receiving his mynd in order to the said appeall, if he did sustain the same or not; and therupon it was appoynted that Mr. John Cockburn, minister at Udny, should go south for the effect above specifeit whensoever the bishop shall think expedient; and for defraying his expenses, it was condescended unto by the bretheren of the synod, that the said Mr. John shall hav a merk Scots from each of the bretheren; and it is appoynted that all the bretheren of the synod shall be in readiness whensoever the bishop shall find needfull to call them, to meet upon a fourteen dayes advertisement, at Old Aberdeine, for considering the foresaid

affair concerneing the kirk of Marieculter, uith certificatione of censure to those who shall be found absent.

At Old Aberdeine, 2d January, 1679.

The quhilk day, severall bretheren being mett uith the bishop, in order to the admission of Mr. John Menzies, professor of divinitie in New Aberdeine, to be professor in the Kings colledge, at Old Aberdeine, the bishop, after prayer, having caused read the act of the late synod anent the nomination and election of the said Mr. John, did represent that, conforme to the said act, the said Mr. John, at the tyme appointed, had given his anser, wherby he did embrace the said call of being professor at Old Aberdeine, and that now it onlie remained that he should be admitted to the foresaid charge: whereupon, the bishop having administrat unto him the oath *de fideli administratione*, he did admitt the said Mr. John Menzies unto the charge of being professor of divinitie in the Kings Colledge at Old Aberdeine, by delivering unto him the book of the holy scriptures, and giving him the right hand of fellowship; and did give him reall right and title to the haill mortified lands, houses, fruits, benefits, and emoluments belonging to the said place. Upon all which, the said Mr. John asked and took instruments in the hands of Mr. Thomas Crevey, clerk to the synod, and Gilbert Beedie, notar publick in Aberdeine.

March 19, 1679.

Anent Mr. Alexander Leask and Mr. John Lumsden ther transaction for the kirk of Marieculter, the bishop did represent that, conforme to the appoyntment of the former synod, he had dispatched Mr. John Cockburn, minister at Udny, to the primat, for makeing a representation of that whole affair, and receiv his mynd theranent. Whereupon the said Mr. John did give an account of his diligence in discharge of the commission given unto him, and that upon his representing the affair to the primat, hes grace had called a meeting of other fyve bishops then at Edinburgh for considering that matter, and Mr. Alexander Leask being ther present, both the said Mr. Alexander and he wer heard before the said meeting; and after that the primat and other bishops then conveened had considered the whole affair *hinc inde*, it was remitted back to the bishop of Aberdeine, and that the primat had sent back uith

him a letter of advyce to the bishop, in order to the closeing of that matter.

Whereupon the bishop did produce the primats letter, and did read so much of it as concerned that affair, to uitt, that the primat, uith some bishops then at Edinburgh, had conveened Mr. Leask befor them, and considered the whole affair anent the kirk of Marieculter, and had rebuiked Mr. Leask verie severlie for his unwarrantable dealing in that matter, and that he seemed to be sensible of his overreaching therein, and had been insnaired and transported upon the account of his brother's interest to do something which is not allowable in the Church; and that, considering the present stait of affairs and circumstances in which the Church doth stand, it wes not fit to make any further noise about that matter, and therfor he had remitted the said Mr. Alexander Leask back to the bishop and synod of Aberdeine to be sharply rebuiked before them, and oblidged to more circumspect walking in tyme to come. Mr. Alexander Leask and Mr. John Lumsden being both cited to this meeting and called, did compeer, and both of them did submitt themselves to the bishop and synod, and did pass from ther appeall, and by reasone that Mr. John Cockburn did represent that Mr. Alexander Leask had uttered some expressions at the south land which did reflect upon the bishop; therefor, the said Mr. Alexander being interrogat theranent, denyed any such expressions, yet Mr. Cockburn did averr in his face that he uttered some unbeseeming expressions anent the bishop. Mr. Alexander Leask and Mr. John Lumsden being interrogat if the moderator of Aberdeine or any of the ministers had been privie to that transaction betuixt them anent the kirk of Marieculter, both of them declaired that none of the ministers of Aberdeine had ever any knowledge theroff or hand therin, and that neither of them ever spok so anent the ministers of Aberdeen.

The bishop having represented unto Mr. Leask, that seeing the primat in his letter did declair that the ground wherupon he had given advyce for such a myld censure to be inflicted upon him was upon the account of the sense which Mr. Leask seemed to have of his failing as said is, that, therefor, it wer fit that the bretheren of the synod should have his acknowledgement from his own mouth, and what sense he had of his overreaching; whereupon the said Mr. Alexander did declair that he having his serious reflections anent the plantation of the kirk of Marieculter, he was sorie for his being accessorie to the keeping of that place so long

vacant, and that upon too much forwardness to promove his brother, Mr. John Leask's interest, had been ensnaired and transported to do some thing which is not allowable in the Church, and which had givn offence to the bishop; and out of an apprehension that by reasone his brother had been at a great expenss in prosecution of his presentation to the kirk of Maricculter, he supposed there might have been something allowed unto him in a charitable way from any that should enter into that place (he being put by it), that, therefor, he had taken unhandsome and indirect wayes for that effect, which had givn occasion of offence; and whereas he being too forward in his own vindication at the south land had expressed someway which was interpreted to reflect upon the bishop or any other minister in the diocess, he declaired he never designed any such reflections by his expressions, and was sorie that he had givn offence to the bishop and synod, and did humblie beg pardon therefor, and referred himself whollie unto them.

The bishop and synod haveing again seriously considered the contents of the archbishop's letter and the advyce givn therin, did pass to a voice, and order the said Mr. Alexander should make his acknowledgement, and be rebuiked (as the primat advyces) in a most humble manner, upon his knees or in any other posture; and the said Mr. Alexander being removed and the catalogue cited, it was carried by the pluralitie of the voices of the synod (some dissenting), that his acknowledgement should be made, and he rebuiked publickly in face of the synod in a most humble manner upon his knees. Whereupon the said Mr. Alexander being called in, the mynd of the synod was intimat unto him; and he having accordingly humbled himself did make acknowledgement as is above uritten, and was sharply rebuiked by the bishop, and seriously exhorted to walk more circumspectly in tyme coming, uith certification if he shall afterward miscarrie or give scandall that this offence shall be remembered against him for the heavier censure; and Mr. John Lumsden is referred to the bishop and Presbitrie of Aberdeine to be rebuiked before them.

The next meeting of the synod is appoynted to be upon the second Tewsday of October nixt, 1679 yeers.

Indigent persones recommended by the bishop and synod to the chari-

table supplie of the severall congregations uithin this diocess, are, Alexander Urchart and Patrick Watsone in Bamff.

16th October, 1679.

Anent the centesima of ministers stipends appoynted by act of synod for the supplie of ministers relicts and children, it being represented that ther are severall uithin this diocess who have not as yet subscrived the bond theranent, and that there are others who, although they have subscrived the bond, yet have not payed conforme to ther obligation, as also Mr. George Meldrum, collector, haveing intreated that some might be appoynted for takeing in his accounts of quhat he hath alreaddie collected, it is therefor ordained by the bishop and synod, that such as have not as yet subscrived the said bond be requyred to do so, and that the names of such as are deficient in paying be givn up by the collector to the bishop and synod, and that such out of each presbitrie as shall be nominat for reviseing the foundation and wreit belonging to the profession, and are to meet at the dyet above specifeit, do lykewayes take up the collectors accounts at the said meeting; and they are also impowered by the bishop and synod to think upon a method for stocking, secureing, and improveing quhat shall be found to be alreaddie collected.

And because at the synod in October, 1678, there was proferr made by the bishop and synod unto these who should advance seven yeers of the said annuitie togither, that they should be exonered of paying the said annuitie yeerlie in all tyme coming, and seeing the moderators of presbitries do report that, upon enquirie, they fund that the pluralitie of their bretheren do encline to follow that method, it is therefor appoynted that such as are uilling to embrace the said overture do advance the seven yeers annuitie of ther stipends once betuixt and the first Tewsday of Februarie nixt, otherwayes they are not to have the benefitt of the foresaid proferr; and that if need be, the bond subscrived be them shall be cancelled, and another bond drawn up to be subscrived by those who are cleer onlie for a yeerlie paying of the said annuitie, quhich bond is to stand in rigor dureing the bishop and synods pleasure, both as to these who are presently in charge, and as to these who shall hereafter enter into the ministrie, and shall not choise to advance seven yeers annuitie togither, as said is.

It is recommended to presbitries to be diligent in visitation of kirks uithin ther bounds; and if it shall happen that any scandall shall aryse in a parioch in which the Church is more neerly concerned, that they do tymouslie give notice theroff to the bishop, who is to give particular order to the presbitrie for visiting such a congregation.

It being represented unto the bishop and synod, how much the Lords day is evrie where profained by drinking, travelling to mercats, feeing of servants, and making other bargains and contracts, it is therefor recommended to the severall bretheren uithin this diocie to testifie against these abuises by preaching publickly against them, and makeing intimation unto their people against whoever shall be found guiltie after this manner shall be lyable to severe censure.

4th February, 1680.

The bishop and brethren, considering that notuithstanding the Lord hath vouchafed unto this countrey the light of the glorious gospell, and loadened the inhabitants uith plenty of temporall benefits, yet iniquitie doth exceedingly abound in this diocess and pairt of this Church and kingdome, and particularlie the sins of drunkenness, whoredome, and horrid cursing and swearing, which doe loudly cry to Heaven for judgements upon us, and call for humiliation and prayer to God from us, have thought fit to appoynt, and hereby do appoynt, Wednesday, this day fourteene days, being the eighteent of this instant Februarie, to be observed as a day of solemn fasting and humiliation in all the churches of this diocess, that, by fasting and prayer and turning unto God, the flood of uickedness being stopped, the Lords favour may be towards us; and among other blessings, that it would please his divine Majestie to bless the land uith seasonable weather in the seed tyme, and bless the seed to be sown uith increass, and his people uith grace to serve the Lord their God uith their plenty. And it is recommended to the bretheren now present to send tymous advertisement hereoff to the rest of their brethren in their respective presbitries; and for this end the clerk was appoynted to draw up a coppie of this present act for each presbitrie, that it may be dispersed into the respective congregations.

Inventar of the bonds which containe the money belonging to the mortification for the professor of divinitie at Old Aberdeine, as the same was drawn up upon the tuelfth day of Februarie, 16 hundred four score yeers.

1. Band, Patrick, Bishop of Aberdeen, to Mr. David Lyell, for an hundred eightie six pund nynteen shilling, off dait July 20, 1670, ... £186 19 0
2. Band by James Scougall to the said Mr. David, for six hundred merks, dait June 27, 1671, ... 400 0 0
3. Bond be James Gordone of Setone to the said Mr. David, for an hundred punds, dait June 15, 1672, ... 100 0 0
4. Band by the Laird of Wattertoune to the said Mr. David, for an thousand merks, dait July 8, 1671, ... 666 13 4
5. Band be William Forbes, sometyme bailie in Old Aberdeine, to the said Mr. David, for an hunder merks, dait June 21, 1671, ... 66 13 4
6. Item, an assignation of the foresaid bonds from the said Mr. David Lyall to Mr. Henrie Scougall, professor of divinity in the Kings Colledge, and his successors, of dait at Old Aberdeine, June 30, 1674.

   Nota.—There is mention, in the foresaid assignation, of another bond dew be Mr. Arthure Strachan, minister at Methlick, off dait October 8, 1670, for the sowm of tuo hundred merks; which sowm was payed by the said Mr. Arthure, and an hundred merks theroff lent to Mr. Georg Buchan, regent, upon his bond; and the rest of it is counted for by James Scougall, in name of the lait professor.
7. Band, Laird of Haddo to Mr. Georg Strachan, lait minister at Old Aberdeine, for a thousand merks, dait May 30, 1673, ... 666 13 4
8. Item, an assignation of the forsaid bond to Mr. Henrie Scougall and his successors, dait March 2, 1678.
9. Bond be Alexander Gordon, bailie in Aberdeen, to Mr. Georg Strachan, for three hundred and fiftie merks, dait December 7, 1675, ... 233 6 8

Nota.—This bond must be renewed, becaus ther is no assignation granted upon it.

10. Bond be Mr. John Buchan to Mr. Henrie Scougall, for an hundred merks, dait Apryle 21, 1675, ... £66 13 4
This bond must also be renewed.

11. Ticket, Patrick, Bishop of Aberdeine, to Mr. Henrie Scougall and his successors, for tuo hunder fourtie tuo punds ten shilling and eight pennies, dait June 7, 1676, ... 242 10 8

12. Bond be Patrick, lait Bishop of Cathness, to Mr. Henrie Scougall and his successors, for six hundred merks. dait Apryle 9, 1677, ... 400 0 0

13. Band, Mr. David Lyall to the said Mr. Henrie Scougall and his successors, on four score ten merks, dait Apryle 8, 1678, ... 60 0 0

Summa of the whole stocked money belonging to the profession of divinitie, is, *salvo justo calculo*, ... £3089 9 8

Nota.—It is to be observed, that there is a bond of corroboration granted by the commissar of Aberdeine for such sowms of money as the Bishop of Aberdeine is resting to the profession.

14th October, 1680.

The bishop and synod, considering that the professors place in the Kings colledge at Old Aberdeine is now vacant thorow the translation of Mr. John Menzies to the professor of divinitie in New Aberdeine, and, therefor, that it wer expedient that a qualified persone wer nominat and chosen unto the said charge, did therefor proceed to a present nomination; and, after reading of the act anent the election of Mr. John Menzies in October, 1678, it being found that although there had been some purposes for setling a constant method of electing the professors of divinitie in tyme comeing, yet there had been nothing as yet done in order thereunto, therefore the bishop and synod did condescend that the election shall be gone about at present after the method following, viz.: that each of the bretheren of the synod shall propose a list of three whom they judge most qualified for the said charge, and that, out of the three who should have the most votes in the synod, the bishop shall choise

one, who shall be declaired professor ; but uith this speciall proviso. that this method shall not inferr a preparative, or obstruct any other way which shall hereafter be fallen upon by the bishop and synod.

Whereupon, the catalogue being cited, and the severall bretheren having proposed a list of three, it was found, after numbering of the votes, that Mr William Meldrum, minister in Edinburgh, Mr. James Garden, minister at Carnbee, in Fyfe, and Mr. Robert Bruce, minister at Old Deer, wer the three who had most of the votes of the synod; and the said list being proposed to the bishop, he did choise and declair Mr. James Garden, minister at Carnbee, in Fyfe, to be professor of divinity in the Kings colledge at Old Aberdeine.

And it is appoynted that the said Mr. James be acquainted thereuith uith the verie first conveniencie. As also, that upon the said Mr. James his embraceing the forsaid charge, the severall moderators of presbitries be in readdiness, with any other, whom the presbitries are hereby appoynted to name, to come in upon advertisement to this town, for tryall and admission of the said Mr. James; and, for that end, in caise he accept of the said charge, that he publish theses *de efficacia gratie*, and sustain a dispute thereupon; and the dyet for his tryall and admission to the said charge is referred to the bishop.

Att Old Aberdeine, 2d February, 1681.

The quhilk day, being conveened uith the bishop severall off the brethren commissionat by their respective presbitries, togither uith some of the moderators of presbitries, in order to the tryall and admission of Mr. James Garden to be professor of divinitie in Old Aberdeine, conforme do the act of his nomination in October last, it was found, after enquirie, that the said Mr. James his theses *de efficacia gratie* had been tymouslie sent forth to the respective presbitries uithin this diocess, and that they had been dewly advertised of this dyett appoynted by the bishop for his tryall and admission. It is also reported, that all the presbitries have nominat certain of their number to keep this meeting, uith their moderators, except the presbyterie of Turreff; but that the stormieness of the weather hath hindered severalls of the bretheren from coming in. The act in October last anent the nomination of the said Mr. James to be professor being read, the brethren conveened desyred that the foundation of the said profession might also be read, and the said Mr. James

interrogat, anent the closing uith that charge upon the terms therein contained, so far as it is compatible uith the present government of the church: which accordinglie being done, the said Mr. James, in his ansers. did modestly express his sense of the weight of that charge, and his insufficiencie for the same; and uithall his sense of the bishop and synods respects towards him in their election of him therunto; and declaired himself willing to close theruith, upon the terms contained in the said foundation; and that he should endeavor, as the Lord shall enable him, to maintain and assert the truth, as it is in Christ Jesus, in opposition to the errors of poprie, arminianisme, and others quhatsomever, which either seriously or of lait have disturbed the church. And referred himselff to Providence in the issue of these tryalls, quhich are usuall in such caises.

Wherupon, the bretheren conveened haveing repaired to the Kings colledge kirk, the ordinarie place appoynted for the disputs (the bishop being unable to go thither throw infirmitie and age), the said Mr. James, after delivering of his warrand, did sustain the dispute of his theses forsaid (Mr. John Menzies, professor in the Marischall colledge, being preses); and, after closeing of the whole action, the brethren did again return to the bishops lodging, viz.: Mr. Patrick Sibbald, moderator of the Presbitrie of Aberdeine, and Mr. John Menzies, professor, and Mr. George Meldrum, minister at Aberdein, Mr. Patrick Innes, minister at Bamff, as commissionat by the Presbitrie of Fordyce, Mr Thomas Garden, moderator of the Presbitrie of Alfoord, and Mr. Robert Farquharsone, commissionat by the said presbitrie, Mr. Robert Bruce, commissionat by the Presbitrie of Deer; and the said Mr. James Garden being removed, the foresaid bretheren did give report to the bishop of quhat had past at the disputes of the theses, and ther being some other brethren occasionallie present who had not been commissionat by their presbetries, viz., Mr. William Blair, minister at Fordyce, Mr. Robert Irvine, minister at Towie, and Mr. Adam Hay, minister at Montwhytter, the bishop did desyre to know, both of these brethren, and of the rest who were appoynted and commissionat anent the said Mr. James, who did all unanimously approve of his tryalls, and declaired that they judged him qualified for the said charge. And the said Mr. James being called in, the judgment of the brethren was accordinglie intimat unto him; and the bishop haveing administrat the oath *de fideli administratione* unto him, did admitt him to

the foresaid charge off being professor of divinitie in the Kings Colledge at Old Aberdeine, by delivering unto him the book of Holy Scriptures, and giving him the right hand of fellowship, as use is in such caises; and did give him reall right and title to the haill houses, lands, rents, profits, and emoluments belonging to the said place; upon all and evrie one of which the said Mr. James asked and took instruments in the hands of Mr. Thomas Crevey, clerk to the Synod of Aberdeine, and Georg Kilgour, notar publick in Old Aberdeine.

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